

ATTACHMENTS

Affidavit of James J. Carroll, III, Esq.

Exhibit A –	Pleasantville’s Appeal submitted to USAC with attachments relating to FY 2005 debt.....	1-120
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**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Schools and Libraries)	CC Docket No. 02-6
Universal Service Support Mechanism)	
)	
Consolidated Request for Review)	Form 471 Application No. 484579
and/or Waiver by)	Billed Entity No. 123365
and Pleasantville School District (NJ))	
of a Funding Decision by the)	
Universal Service Administrative Company)	

AFFIDAVIT OF JAMES J. CARROLL, III, ESQ.

I, James J. Carroll, III, Esq. swear:

1. I and my firm are counsel for the Pleasantville School District.
2. On or about March 2, 2018, we filed an appeal with USAC relating to its attempt to collect FY 2005 funds based upon an alleged refusal of the District to provide USAC with sufficient information. Exhibit A is a true copy of said appeal submitted and all attachments thereto.
3. Exhibit B is a true copy of the electronic notice I received from USAC first notifying me of USAC's decision to deny the appeal.
4. Exhibit C is a true copy of the opinion issued by USAC in denying the appeal.
5. Exhibit D is a true copy of the appeal filed relating to the denial of FY 2017 funds.
6. I affirm that the foregoing statements made by me are true to the best of my knowledge, and that if the statements made by me are willfully false I may be subject to punishment.

DATE: August 13, 2018

s/James J. Carroll, III, Esq.
JAMES J. CARROLL, III, ESQ.

EXHIBIT A

APPLICANT WHO IS FILING APPEAL: PLEASANTVILLE SCHOOL DISTRICT

BILLED ENTITY NUMBER: 123365

SPIN: 143008185

FCC REGISTRATION NUMBER: 0006516231

CONTACT INFORMATION: JAMES J. CARROLL, III, ESQ.,
COUNSEL FOR PLEASANTVILLE S.D.
1 NORTH NEW YORK ROAD, STE. 39
GALLOWAY, NJ 08205
PHONE: 609-404-3440
EMAIL: casinoatty@aol.com

DOCUMENTATION:

1. **DEMAND PAYMENT LETTER** FOR FRN #1344965 IN THE AMOUNT OF \$7,200; FRN #1345400 IN THE AMOUNT OF \$34,14.80; FRN #1345358 IN THE AMOUNT OF \$46,080.00 - DATED SEPTEMBER 18, 2018 FOR FUNDING YEAR 2005/SERVICE PROVIDER NAME: COMTEC SERVICES, INC.

DEMAND PAYMENT LETTER FOR FRN #1345791 IN THE AMOUNT OF \$266,340.47 - DATED SEPTEMBER 18, 2018 FOR FUNDING YEAR 2005/SERVICE PROVIDER NAME: EPLUS TECHNOLOGIES, INC.

DEMAND PAYMENT LETTER FOR FRN #1343691 IN THE AMOUNT OF \$27,000 - DATED SEPTEMBER 18, 2018 FOR FUNDING YEAR 2005/SERVICE PROVIDER NAME: VERIZON NEW JERSEY INC.

DEMAND PAYMENT LETTER FOR FRN #1343784 IN THE AMOUNT OF \$27,268.49 - DATED SEPTEMBER 18, 2018 FOR FUNDING YEAR 2005/SERVICE PROVIDER NAME: SPRINT SPECTRUM LP

DEMAND PAYMENT LETTER FOR FRN #1346262 IN THE AMOUNT OF \$18,206.69; FRN #1346307 IN THE AMOUNT OF \$6,175.87 - DATED SEPTEMBER 18, 2018 FOR FUNDING YEAR 2005/SERVICE PROVIDER NAME: XTEL COMMUNICATIONS INC.

2. SIGNED CERTIFICATION FROM ELISHA THOMPkins, BA.
3. COPY OF FCDL ISSUED ON 1/19/18
4. COPY OF CORRESPONDENCE TO/FROM DISTRICT AND USAC DATED: 10/2/17, 10/9/17, 10/13/17, 10/30/17, 11/15/17, 11/28/17, AND 1/16/18
5. PBOE JAN./2010 LEGAL BILL FOR SERVICES
6. COPY OF EMAILS DATED 9/22/10 TO/FROM LINDA GEIGER TO ELISHA THOMPkins, BA

7. EMAILS AND LETTER TO LINDA GEIGER TO/FROM MARTIN FRIEDMAN

EXPLANATION:

USAC has asserted that Pleasantville has not repaid \$403,517.54 in previously disbursed E-rate funds. USAC determined that these funding commitments must be rescinded, and the disbursed funding recovered due to a violation of E-rate program rules. USAC asserted that it sent Demand Payment Notice on this debt to Pleasantville by letters dated June 16, 2017; August 17, 2017 and September 18, 2017. Pleasantville asserts by signed certification under penalty of law that it never received the first two Demand Payment Notices dated June 16, 2017 and August 17, 2017. The first notice Pleasantville received regarding this alleged debt was by letter dated September 18, 2017. See attached signed Certification of Elisha Thompkins, Business Administrator, Pleasantville Board of Education.

In said Demand Payment Notices, which contained a copy of the Funding Adjustment Reports ("COMAD") for the above references debts, USAC stated that its investigation had resulted in the following assertion:

During the course of a review, you [the District] was asked to provide information regarding Martin Friedman and Alemar Consulting and the roles he played at your school, including his role in the competitive bidding process. You did not provide specifics regarding the role played by Mr. Friedman in your competitive bidding and vendor selection process. Therefore, USAC is unable to make a determination if your school engaged in a fair and open competitive bidding process free from conflicts of interest. {Emphasis added.}

This explanation simply did not contain information sufficient to inform the District why the funding was being rescinded, or if it had any basis for appeal. Specifically, the COMADs did not state when the "review" was done by USAC; on what date the District was asked to provide information; or to whom said request was sent. It did not indicate whether the District responded to the inquiry, but the response was not "specific" enough; or, if the District did respond, what about their response was missing? Rather, the only information the District had was that sometime in the last twelve (12) years, USAC allegedly requested information from the District about Martin Friedman and allegedly the District failed to provide "the specific" information USAC was seeking. Because the COMADs were so vague and because this all allegedly happened twelve (12) years ago, the District had no choice but to request additional documentation from USAC regarding the matter to determine whether it could appeal.

Under the FCC's debt collection regulations, debtors have fifteen (15) days from the date of the demand letter to request a retrieval of invoices and documentation related to a debt to the FCC or USAC.

By letter dated October 2, 2017, Pleasantville provided USAC with the signed Certification from the Business Administrator indicating that that the District had not received the initial two notices from USAC. The letter dated October 2, 2017, also requested a copy of USAC's file relating to its investigation. The letter also placed USAC on notice that the District intended to dispute the propriety of the debt; and/or seek a waiver; and /or appeal the notification. This letter was timely, as it was sent within twelve (12) days of receipt of the first notice the District received from USAC.

However, USAC did not provide any response to the District's October 2, 2017 letter. Thereafter, by letter dated October 9, 2017, the District again reiterated its request for documentation indicating what investigation was conducted and what was the basis for the USAC's COMADs. USAC did not respond to the letter. Thereafter, by letter dated October 13, 2017, the District again reiterated its request for documentation. Finally, on October 30, 2017, USAC responded and provided the District with documentation. This documentation was provided to the District over forty (40) days after USAC first notified the District of its demand for repayment of \$403,517.54 from funding years 2005, or over eleven (11) years ago.

Upon receipt of the documentation, which was quite voluminous, the District immediately began its own investigation.

By letter dated November 28, 2017 (or within 31 days of receipt of the voluminous documentation), the District notified USAC that the USAC documentation, as well as the District's own records, indicated that in 2010, the District did respond to an inquiry from Linda Grieger, relating to information about Martin Friedman. In several of the responses the District provided to Ms. Geiger's inquiries, the District indicated that the matter was currently in litigation and that the Board's solicitor would be providing additional information as requested. Based upon the same, the District then attempted to contact the Board's solicitor at the time, namely, Ray Hamlin, Esq., to determine what information was provided on the District's behalf. In the letter dated November 28, 2017, the District requested additional time to secure this information from the Board's prior solicitor and requested a reasonable amount of time to obtain the necessary information relating to USAC's allegation that it "did not provide specifics regarding the role played by Mr. Friedman" in the competitive bidding process and thereby allow the District to investigate, refute, appeal or seek a waiver of the claim by USAC that it is owed \$403,517.54.

USAC did not provide any response to the District's November 28, 2017 letter.

By letter dated January 16, 2018, the District notified USAC that it had been able to contact Ray Hamlin, Esq., the District's counsel in 2010. Mr. Hamlin indicated that he had no documentation that reflected that his firm was ever placed on notice of this issue, who the notification was sent to, whether there is proof of its receipt, and who specifically provided a response to it. In the January 16, 2018 letter to USAC, the District asserted that based upon Mr. Hamlin's response, there is simply no proof one way or the other to USAC's assertion that twelve (12) years ago it made an inquiry of the District and no one responded. The District requested a meeting with the individual with appropriate authority at USAC to discuss this matter to seek an amicable resolution. In response to said request, by email dated January 31, 2018 (or approximately 133 days after the District first received the Demand Payment Notice in September 2017, and after failure to respond to the District letter dated November 28, 2017), Ms. Sheila Murray of USAC wrote:

We reviewed your January 16, 2018 letter in response to USAC's November 15, 2017 Notice of Dismissal to Pleasantville School District. As indicated in the November 15th notice, Pleasantville has not repaid \$403,517.54 in previously disbursed E-rate funds. USAC determined that these funding commitments must be rescinded, and the disbursed funding recovered due to a violation of E-rate program rules. Because of Pleasantville's failure to repay the outstanding amounts, its Funding Year (FY) 2017 funding applications were denied and the funding commitment decision letter (FCDL) was issued on January 19, 2018. (A copy of

the FCDL is attached and the FCDL is also available in the E-rate Productivity Center and noted in Pleasantville's News Feed.)

To appeal this denial decision, you must submit your appeal to USAC within sixty (60) days of the denial decisions (by March 20, 2018). If you have any questions regarding the appeal process, please refer to the appeals section of USAC's website.

In response to said email, the District submits this appeal and requests a waiver of the administrative limitations period for pursuing recovery of wrongful disbursements from the Universal Service Fund.

A party seeking review of a USAC decision is required to file an appeal with USAC within 60 days of the issuance of the decision sought to be reviewed. See, Modernizing the E-rate Program for Schools and Libraries, WC Docket No. 13-184, Order and Further Notice of Proposed Rulemaking, 29 FCC Rcd 8870, 8970, para. 252 (2014); 47 C.F.R. §54.719(a), (b) (2015).

Pleasantville asserts that special circumstances exist in this matter to justify a waiver of the deadline. See, Requests for Review or Waiver of Decisions of the Universal Service Administrator by Academia Avance, et al., Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6, Order, 28 FCC Rcd 12859 (Wireline Comp. Bur. 2013). First, it never received the notices sent in June or August. Thus, Pleasantville was unable to timely file an appeal due to circumstances out of its control. Second, because this matter occurred twelve (12) years ago, the information provided in the COMAD was not sufficiently detailed to provide Pleasantville with the ability to appeal the matter timely. Rather, Pleasantville was forced to request additional documentation from USAC to understand the basis for the COMAD. Third, USAC was delinquent in its responses to Pleasantville's requests for documentation and ignored Pleasantville's requests for additional time. To provide the District with vague and unspecific allegations that USAC has conducted some type of unknown "review," without any indication when the "review" was done; or by whom, is simply unreasonable. The District had no way of knowing what occurred back in 2005 and had no way to know what specific information was asked for; to whom it was asked; or when. Even USAC's own explanation admitted, "USAC is unable to make a determination." Based upon its inability to appeal because of all the unknown factors, the District took the reasonable step of immediately contacting the USAC and asking for more specific documentation. After receipt of the documentation, the District immediately began its own investigation. Then, when the District was able to determine that it believed it had responded to USAC's "review" and "inquiry," back in 2010, the District again, immediately contacted USAC and informed them of its findings and asked for a meeting with any individual who may have the authority to review the evidence and resolve the issue. When USAC failed to agree to the same by email dated January 31, 2018, the District filed the instant appeal in less than thirty (30) days.

Finally, USAC's recovery action for funding year 2005 violates the FCC's policy directive that USAC finish its investigations and seek recovery within five years of the final delivery of service for a specific funding year. As USAC is aware, in the Fifth Report and Order, the Commission "for administrative efficiency" announced a policy that inquiries related to wrongful E-rate program disbursements should be completed within five years of the final delivery of service for a specific funding year. See, Schools and Libraries Universal Service Support Mechanism, CC Docket 02-6, Fifth Report and Order, 19 FCC Rcd 15808, 15819 (2004) (Fifth Report and Order).

The Commission found that this policy struck “an appropriate balance between preserving the Commission’s fiduciary duty to protect the fund against waste, fraud and abuse and the beneficiaries’ need for certainty and closure in their E-rate application processes.” Id. at 15819, para. 33. Pleasantville acknowledges that this policy is a “preference,” and not an absolute bar to recovery; however, it respectfully asserts that the same can serve as a basis to support a claim of special circumstances in seeking an untimely appeal. In the instant matter, USAC did not seek reimbursement of the monies which were distributed in funding year 2005 until September 2017 – or twelve years later. Such a lengthy amount of time should serve as sufficient special circumstances to allow Pleasantville to file an appeal out of time.

Pleasantville also submits that there is a significant difference in the COMADS issued by USAC in 2017 – the year Pleasantville received its COMADS, which show a present pattern of conduct on the part of USAC which flagrantly violates the FCC’s clearly stated policy preference that inquiries related to wrongful E-rate program disbursements should be completed within five years of the final delivery of service for a specific funding year.

Specifically, between 2013-2016, the commitment adjustment occurred on average 2.8 years after the start of the funding year. This is consistent with the timeframe of audits that result from the disbursement of funds. Funds are disbursed in Year 1; payments are audited in Year 2; and the audit findings are approved and the recovery of funds initiated sometime soon thereafter; i.e., 2.8 years after the funds are disbursed. However, in 2017 the COMADS were different; not only were the applicant numbers significantly increased, and more money was at risk, the COMADS themselves were nearly twice as old. In fact the oldest COMAD was from funding year 2001 – or 17 years ago. The total amount in money sought to be reimbursed to USAC went from \$4.3million during 2013-16 to over \$60million in 2017.

Pleasantville respectfully asserts that this pattern of conduct exhibited by USAC in 2017 directly and significantly violates the FCC’s “policy preference” that inquiries related to wrongful E-rate program disbursements should be completed within five years of the final delivery of service for a specific funding year. In 2017, Pleasantville was clearly not the only District who was handed a COMAD that was eleven (11) years old. This change in procedures by USAC should not be tolerated and is a flagrant violation of the expressed and clear *preference* of the FCC in handling these matters. The same should be a consideration in deciding if allowing Pleasantville to move forward with its alleged untimely appeal is in the “public interest.” Pleasantville respectfully asserts the same is clearly in the public’s best interest.

Alternatively, Pleasantville also requests, a waiver of the 60-day filing deadline based upon good cause shown. See, 47 C.F.R. § 1.3. A rule may be waived where the particular facts make strict compliance inconsistent with the public interest. See, Northeast Cellular Telephone Co. v. FCC, 897 F.2d 1164, 1166 (D.C. Cir. 1990). It is a hardship for Pleasantville to repay this extraordinary large amount of money that was disbursed twelve (12) years ago. Equity dictates that Pleasantville be granted a waiver of the deadline based upon the reasons stated above. See, WAIT Radio v. FCC, 418 F.2d 1153, 1159 (D.C. Cir. 1969), *aff’d*, 459 F.2d 1203 (D.C. Cir. 1972). Pleasantville asserts that a waiver is appropriate because special circumstances in this matter warrant a deviation from the general rule, and such deviation would better serve the public interest than strict adherence to the general rule. See, Northeast Cellular, 897 F.2d at 1166. USAC has a strong interest in ensuring efficient program administration, but Pleasantville respectfully asserts that it

does not serve the public interest to refuse to allow Pleasantville the opportunity to challenge the reimbursement request from USAC under these circumstances.

In support of the District's assertion that its investigation has revealed that it did respond to Linda Geiger's inquiry back in 2010 regarding Martin Friedman, and therefore, said debt is invalid, the District attaches the following documents:

1. Pleasantville BOE – January 2010 legal bill for services rendered by Ray Hamlin, Esq., counsel for Pleasantville at the time which indicate that on 12/8/10 and 12/17/10, he spoke with Michael Shea and Elisha Thompkins regarding documents requested by USAC; on 12/21/10, he spoke with Linda Geiger at USAC regarding documents requested by USAC from PBOE regarding e-rate funding.

2. A copy of emails dated September 22, 2010 from Linda Geiger to Elisha Thompkins wherein Mr. Thompkins provided a written response to Ms. Geiger's questions which specifically related to Mr. Friedman.

3. A copy of a letter to Linda Geiger from Martin Friedman written in response to a November 10, 2010 request for information for Special Compliance Review Team. Mr. Friedman provided detailed answers to a number of questions all relating to the bidding and selection of providers process.

In conclusion, the District respectfully requests that it should be permitted to appeal the COMADs issued to Pleasantville by letters dated September 18, 2017 referenced above and said appeal should be granted based upon the documentation provided herein which disputes USAC's assertion that the District did not provide specifics regarding the role played by Mr. Friedman in the competitive bidding and vendor selection process. USAC should rescind all of its COMADS relating to the \$403,517.54.

Date: March 2, 2018

s/James J. Carroll, Esq.
JAMES J. CARROLL, ESQ.
Counsel for Pleasantville School District

Catherine Manning
PLEASANTVILLE SCHOOL DISTRICT
P.O. Box 988
Pleasantville, NJ 08232-0898



United States Administrative Company

Schools and Libraries Program

Demand Payment Letter

SECOND REQUEST

Funding Year 2005: July 1, 2005 - June 30, 2006

September 18, 2017

Catherine Manning

PLEASANTVILLE SCHOOL DISTRICT

P.O. Box 969

Pleasantville, NJ 08222-2969

- PAST DUE NOTICE -

**THIS NOTICE PROVIDES IMPORTANT INFORMATION ABOUT YOUR
ACCOUNT AND YOUR RIGHTS AND OBLIGATIONS UNDER LAW**

Re: Form 471 Application Number:	484379
Funding Year:	2005
Applicant's Form Identifier:	P32Y8.1
Billed Entity Number:	123363
FCC Registration Number:	0606516231
SPIN:	143001362
Service Provider Name:	Verizon New Jersey Inc
Service Provider Contact Person:	Robert Kannegiesser
Payment Due By:	9/18/2017

You were recently sent a Demand Payment Letter informing you of the need to recover funds for the Funding Request Number(s) (FRN(s)) listed on the Funding Commitment Adjustment Report (Report) attached to this letter. Our records indicate that you have not responded to the Demand Payment Letter. As of 09/18/2017, the debt is 31-60 days past due. Because you did not pay the full amount, it is past due (delinquent), and it is legally enforceable.

THE FOLLOWING PROVISIONS CONTAIN IMPORTANT INFORMATION AND A DESCRIPTION OF LEGAL RIGHTS, OBLIGATIONS, AND OPPORTUNITIES

1. Pursuant to the provisions of the Debt Collection Act of 1992 (Public Law 97-365) and the Debt Collection Improvement Act of 1996 (Public Law 104-134), as amended (the DCIA), as set forth below, continued failure to make the demanded payment has resulted in the assessment of administrative charges, penalties, and interest, and it may result in sanctions, including, but not limited to, administrative proceedings or judicial action to recover the outstanding debt.
2. Unless we receive full payment, evidence that the debt is not owed, or a request for installment payment plan for repaying the outstanding debt within 30 days of the date of this letter (Demand Date), pursuant to the DCIA, you may incur additional charges and costs, and the debt may be transferred to the Secretary of Treasury (Treasury) for debt collection. The FCC has determined that the funds are

USAC has not received payment for the debt. The debt is past due and is legally enforceable. Please pay the debt by the date indicated on the Demand Letter or the debt will be referred to the Secretary of Treasury for debt collection.

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owed to the United States pursuant to the provisions of 31 U.S.C. § 3701 and 47 U.S.C. § 254. Because the unpaid amount is a debt owed to the United States, we are required by the DCIA to impose interest and to inform you what may happen if you do not pay the full outstanding debt. Under the DCIA, the United States will charge interest from the date of this notice, and you will be required to pay the administrative costs of processing and handling a delinquent debt as set by the Treasury. The Treasury will impose additional charges (currently 28% of the debt). Additional information regarding the DCIA is available at 31 U.S.C. §§ 3701, 3711, 3714, 3717 and 3720B, the Federal Claims Collection Standards (e.g. 31 C.F.R. § 900.1, et seq.) and 47 C.F.R. § 1.1901, et seq.

3. Please be advised that when the debt is transferred, you may be subject to an administrative proceeding if one has not already been initiated (see 47 C.F.R. § 1.1910). For example, information about your delinquent account has been or will be reported to credit bureaus (see 31 U.S.C. § 3711(c)) and administrative offset has been or may be applied (see 31 U.S.C. § 3716). Moreover, under 31 U.S.C. § 3720B, a person owing an outstanding non-tax debt that is in delinquent status shall not be eligible for Federal financial assistance. Furthermore, the Debt may be referred to the United States Department of Justice (DOJ) for enforced collection, which may result in additional administrative costs. Separately, we may also request action by the Commission's Enforcement Bureau.

4. Pursuant to the Commission's DCIA Order (FCC 04-12, released Apr. 13, 2004), the FCC will withhold action on any application or request for benefits made by an entity that is delinquent in its non-tax debts owed to the Commission and shall disallow such applications or requests if the delinquent debt is not resolved. The Commission has generally referred to this as the "Red Light Rule". This rule applies to the Satellite and Albanian Universal Service Support Mechanism. The Fifth Report and Order (FCC 04-130, released Aug. 13, 2004) directed USAC to disallow any outstanding requests for funding commitments if an entity has not paid the outstanding debt, or made otherwise satisfactory arrangements within 30 days (see Fifth Report and Order at § 42). Therefore, pursuant to the DCIA Order and the Fifth Report and Order, failure to make full payment or arrangements for payment within 30 days of the date of this letter may cause USAC to place you under the provisions of the Red Light rule. For more information on the Red Light rule, please see "Red Light Frequently Asked Questions (FAQs)" posted on the FCC website at <http://www.fcc.gov/enr/envelopes/red-light-frequently-asked-questions>. In determining whether an entity is delinquent for purposes of the Red Light rule, the Commission matches the FCC Registration Number of the applying entity to its database of debts; the applicant's FCC Registration Number will be linked to all other FCC Registration Numbers associated with the same Taxpayer Identification Number (TIN). To obtain an FPN, go to the registration site <http://www.fcc.gov/enr/envelopes/red-light-frequently-asked-questions>.

Opportunity of Inspection and Review

5. You have an opportunity to inspect and copy the invoices and the records pertinent to the debt. The Notification of Commitment Adjustment Letter constituted notice of your opportunity to appeal the validity of the debt. However, if you have evidence that all or part of the debt has been paid and is no longer delinquent, you must present it to us within fifteen (15) days of the date of this demand. If your debt is under appeal, either at USAC or the FCC, you will not be transferred under the DCIA to the Treasury for further collections activities.

Opportunity to Request Repayment Agreement

6. You have an opportunity to request a written repayment agreement (which includes a Promissory Note) to pay the full amount of the debt. If due to financial hardship you are unable to pay the full amount of the past due invoice in a lump sum, you may contact our Customer Service Office to request an installment

payment plan, which will require the payment of interest and execution of a promissory note. If you fail to pay the installment payment plan amount in full, plus accrued interest, penalties, and administrative charges, several administrative or judicial actions may result. First, your delinquent account information will be reported to credit bureaus, your account will be subject to administrative action by the POC and the Treasury, including administrative effect, denial of certain federal benefits, withholding of action on any pending application (see 42 C.F.R. § 1.1910 (Red Light)), and referral to private collection attorneys. Next, we may refer the circumstances of your delinquency to the POC's Enforcement Bureau for further action. Finally, your delinquent debt may be transferred to either the Treasury for further administrative collection or the DOJ for enforced collection.

To provide evidence that all or part of the debt has been paid or request an installment payment plan, you may notify us in writing by mail or facsimile transmission at the following address and telephone number:

Schools and Libraries Program
Correspondence Unit
30 Landover Plaza West, P.O. Box 585
Parsippany, NJ 07054-0885
Phone Number: 973-261-5535
Fax Number: 973-539-8582

If USAC has determined that both the applicant and the service provider are responsible for a program rule violation, then, pursuant to the Order on Remediation and Fourth Report and Order (PLN 04-191) (Fourth Report and Order), USAC will seek recovery of the improperly disbursed amount from both parties and will continue to seek recovery until either or both parties have fully paid the debt. If USAC has determined that both the applicant and the service provider are responsible for a program rule violation, this will be indicated in the Funding Commitment Adjustment Explanation or the Funding Commitment Adjustment Report.

If USAC is attempting to collect all or part of the debt from both the applicant and the service provider, then you should work with your service provider to determine who will be repaying the debt to avoid duplicate payment. Please note, however, that the debt is the responsibility of both the applicant and service provider. Therefore, you are responsible for ensuring that the debt is paid in a timely manner.

Please remit payment for the full "Funds to be Recovered from Applicant" amount shown in the Report. To ensure that your payment is properly credited, please include a copy of the Report with your check. Make your check payable to the Universal Service Administrative Company (USAC).

One unit of the appropriate addresses listed below to send payments to USAC.

U.S. Postal Service and Standard Mail for Payments:

USAC
PO Box 105056
Atlanta, GA 30340-5056

Courier and Overnight Packages:

USAC
Lockbox 105056
1075 Loop Road
Atlanta, GA 30337
(404) 244-6377

ACH payments:

USAC requests that all ACH payment be sent in ACH format to:
ABA Routing 1071000033, Account 4354045653

PAYMENT MUST BE RETURNED IMMEDIATELY.

Complete program information is posted to the SLP section of the USAC web site at www.usac.org/slp/. You may also contact the SLP Technical Client Service Bureau by e-mail using the "Submit a Question" link on the SLP web site, by fax at 1-888-276-8736 or by phone at 1-888-283-6100. Contacting SLP for questions does not change the deadline for your response to this letter.

Universal Service Administrative Company
Schools and Libraries Program

Schedule and Information for Schools and Libraries

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09/10/2007

**Funding Commitment Adjustment Report
for Form 471 Application Number: 404579**

Funding Request Number: 1345431
Services Ordered: INTERNET ACCESS
SWIN: 141001362
Service Provider Name: Verizon New Jersey Inc.
Contract Number: NTH
Billing Account Number: 6596778101
Site Identifier: 123105
Original Funding Commitment: \$27,000.00
Commitment Adjustment Amount: \$27,000.00
Adjusted Funding Commitment: \$0.00
Funds Disbursed to Date: \$27,000.00
Funds to be Recovered from Applicant: \$27,000.00

Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the course of a review, you were asked to provide information regarding Martin Friedman and Alomar Consulting and the roles he played at your school, including his role in the competitive bidding and vendor selection process. You did not provide specifics regarding the role played by Mr. Friedman in your competitive bidding and vendor selection process. Therefore, USAC is unable to make a determination if your school engaged in a fair and open competitive bidding process free from conflicts of interest. Neither the applicant nor the applicant's consultant should have a relationship with a service provider prior to the competitive bidding that would unfairly influence the outcome of a competition or would furnish the service provider with inside information or allow it to unfairly compete in any way. Therefore, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

PLEASE SEND A COPY OF THIS PAGE WITH YOUR
CHECK TO ENSURE TIMELY PROCESSING

*Please note that if the Funds to be Recovered from the Applicant is less than what was reported on the Notification of Commitment Adjustment Letter or the 1st Demand Payment Letter, it is because you have partially repaid the debt or because the Service Provider has partially repaid the debt.

Subject to and subject to the following conditions:

USAC Form 471

2010-06-07

Catherine Manning
PLEASANTVILLE SCHOOL DISTRICT
P.O. Box 969
Pleasantville, NJ 08232-0960



Universal Service Administrative Company

Schools and Libraries Program

Demand Payment Letter

SECOND REQUEST

(Funding Year 2005: July 1, 2005 - June 30, 2006)

September 18, 2017

Catharina Manning

PLEASANTVILLE SCHOOL DISTRICT

P.O. Box 860

Pleasantville, NJ 08232-0960

- PAST DUE NOTICE -

THIS NOTICE PROVIDES IMPORTANT INFORMATION ABOUT YOUR ACCOUNT AND YOUR RIGHTS AND OBLIGATIONS UNDER LAW

Re: Form 471 Application Number:	485093
Funding Year:	2005
Applicant's Form Identifier:	FSDYS 2
Billed Entity Number:	121365
FCC Registration Number:	0008516281
SPIN:	143006153
Service Provider Name:	ePlus Technology, Inc.
Service Provider Contact Person:	Darren Paiguel
Payment Due By:	9/18/2017

You were recently sent a Demand Payment Letter informing you of the need to recover funds for the Funding Request Number(s) (FRNs) listed on the Funding Commitment Adjustment Report (Report) attached to this letter. Our records indicate that you have not responded to the Demand Payment Letter. As of 09/18/2017, the debt is 31-60 days past due. Because you did not pay the full amount, it is past due (delinquent), and it is legally enforceable.

THE FOLLOWING PROVISIONS CONTAIN IMPORTANT INFORMATION AND A DESCRIPTION OF LEGAL RIGHTS, OBLIGATIONS, AND OPPORTUNITIES

1. Pursuant to the provisions of the Debt Collection Act of 1992 (Public Law 99-365) and the Debt Collection Improvement Act of 1996 (Public Law 104-134), as amended (the DCIA), as set forth below, continued failure to make the demanded payment has resulted in the assessment of administrative charges, penalties, and interest, and it may result in sanctions, including, but not limited to, administrative proceedings or judicial action to recover the outstanding debt.
2. Unless we receive full payment, evidence that the debt is not owed, or a request for installment payment plan for repaying the outstanding debt within 30 days of the date of this letter (Demand Date), pursuant to the DCIA, you may incur additional charges and costs, and the debt may be transferred to the Secretary of Treasury (Treasury) for debt collection. The FCC has determined that the funds are

Revised and Replaced by: Version 1.0 (09/2017)
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owed to the United States pursuant to the provisions of 31 U.S.C. § 3701 and 47 U.S.C. § 254. Because the unpaid amount is a debt owed to the United States, we are required by the DCIA to impose interest and to inform you what may happen if you do not pay the full outstanding debt. Under the DCIA, the United States will charge interest from the date of this notice, and you will be required to pay the administrative costs of processing and handling a delinquent debt as set by the Treasury. The Treasury will impose additional charges (currently 2% of the debt). Additional information regarding the DCIA is available at 31 U.S.C. §§ 3701, 3703, 3706, 3707 and 3708, the Federal Claims Collection Standards (e.g. 31 C.F.R. § 900.1, et seq.) and 47 C.F.R. § 1.1901, et seq.

3. Please be advised that when the debt is transferred, you may be subject to an administrative proceeding if one has not already been initiated (see 47 C.F.R. § 1.1903). For example, information about your delinquent account has been or will be reported to credit bureaus (see 31 U.S.C. § 3711(a)) and administrative offset has been or may be applied (see 31 U.S.C. § 3716). Moreover, under 31 U.S.C. § 3720B, a person owing an outstanding non-tax debt that is in delinquent status shall not be eligible for Federal financial assistance. Furthermore, the Debt may be referred to the United States Department of Justice (DOJ) for enforced collection, which may result in additional administrative costs. Separately, we may also request action by the Commissioner's Enforcement Bureau.

4. Pursuant to the Commission's DCIA Order (FCC 04-12, released Apr. 13, 2004), the FCC will withhold action on any application or request for benefits made by an entity that is delinquent in its non-tax debts owed to the Commission and shall dismiss such applications or requests if the delinquent debt is not resolved. The Commission has generally referred to this as the "Red Light Rule". This rule applies to the Schools and Libraries Universal Service Support Mechanism. The Fifth Report and Order (FCC 04-190, released Aug. 17, 2004) directed USAC to dismiss any outstanding requests for funding commitments if an entity has not paid the outstanding debt, or made otherwise satisfactory arrangements within 30 days (see Fifth Report and Order at ¶ 42). Therefore, pursuant to the DCIA Order and the Fifth Report and Order, failure to make full payment or arrangements for payment within 30 days of the date of this letter may cause USAC to place you under the provisions of the Red Light Rule. For more information on the Red Light Rule, please see "Red Light Frequently Asked Questions (FAQs)" posted on the FCC website at <http://www.fcc.gov/encyclolopedia/red-light-frequently-asked-questions>. In determining whether an entity is delinquent for purposes of the Red Light Rule, the Commission matches the FCC Registration Number of the applying entity to its database of debts: the applicant's FCC Registration Number will be linked to all other FCC Registration Numbers associated with the same Taxpayer Identification Number (TIN). To obtain an EIN, go to the registration site <http://apps.fcc.gov/correlate/matchme.do>

Opportunity of Inspection and Review

5. You have an opportunity to inspect and copy the invoices and the records pertinent to the debt. The Notification of Commitment Adjustment Letter constituted notice of your opportunity to appeal the validity of the debt. However, if you have evidence that all or part of the debt has been paid and is no longer delinquent, you must present it to us within fifteen (15) days of the date of this Demand. If your debt is under appeal, either at USAC or the FCC, you will not be transferred under the DCIA to the Treasury for further collections activities.

Opportunity to Request Repayment Agreement

6. You have an opportunity to request a written repayment agreement, which includes a Promissory Note) to pay the full amount of the debt. If due to financial hardship you are unable to pay the full amount of the past due invoice in a lump sum, you may contact our Customer Service Office to request an installment

payment plan, which will require the payment of interest and execution of a promissory note. If you fail to pay the installment payment plan amount in full, plus accrued interest, penalties, and administrative charges, several administrative or judicial actions may result. First, your delinquent account information will be reported to credit bureaus, your account will be subject to administrative action by the FIC and the Treasury, including administrative offset, denial of certain federal benefits, withholding of action on any pending application (see 47 C.F.R. § 1.1415 (Red Light)), and referral to private collection attorneys. Next, we may refer the circumstances of your delinquency to the FIC's Enforcement Bureau for further action. Finally, your delinquent debt may be transferred to either the Treasury for further administrative collection or the DRI for enforced collection.

To provide evidence that all or part of the Debt has been paid or request an installment payment plan, you may notify us in writing by mail or facsimile transmission at the following address and telephone number:

Schools and Libraries Program-
Correspondence Unit
38 Lanidex Plaza West, P.O. Box 685
Partippany, NJ 07034-0685
Phone Number: 973-581-5385
Fax Number: 973-599-6582

If USAC has determined that both the applicant and the service provider are responsible for a program rule violation, then, pursuant to the Order on Reconsideration and Fourth Report and Order (RUC 94-181) (Fourth Report and Order), USAC will seek recovery of the improperly disbursed amount from BOTH parties and will continue to seek recovery until either or both parties have fully paid the Debt. If USAC has determined that both the applicant and the service provider are responsible for a program rule violation, this will be indicated in the Funding Commitment Adjustment Explanation on the Funding Commitment Adjustment Report.

If USAC is attempting to collect all or part of the debt from both the applicant and the service provider, then you should work with your service provider to determine who will be repaying the debt to avoid duplicate payment. Please note, however, that the Debt is the responsibility of both the applicant and service provider. Therefore, you are responsible for ensuring that the debt is paid in a timely manner.

Please remit payment for the full "Funds to be Recovered from Applicant" amount shown in the Report. To ensure that your payment is properly credited, please include a copy of the Report with your check. Make your check payable to the Universal Service Administrative Company (USAC).

Use one of the appropriate addresses listed below to send payments to USAC.

U.S. Postal Service and Standard Mail for Payments:

USAC
PO Box 105556
Atlanta, GA 30346-5556

Courier and Overnight Packages:

USAC
Lockbox 105556
1075 Loop Road
Atlanta, GA 30337
(404) 389-6377

ACH payments:

USAC requests that all ACH payment be sent in CHX format to:
ABA Routing #071000039, Account #5590045433

PAYMENT MUST BE RETURNED IMMEDIATELY.

Complete program information is posted to the SLP section of the USAC web site at www.usac.org/slp/. You may also contact the SLP Technical Client Service Bureau by e-mail using the "Submit a Question" link on the SLP web site, by fax at 1-888-276-8126 or by phone at 1-888-281-8100. Contacting SLP for questions does not change the deadline for your response to this letter.

Universal Service Administrative Company
Schools and Libraries Program

Funding Commitment Adjustment Report
for Form 471 Application Number: 485093

Funding Request Number: 1345731
Services Ordered: INTERNAL CONNECTIONS
SPIN: 141052553
Service Provider Name: ePlus Technology, Inc.
Contract Number: N/A
Billing Account Number: 030
Site Identifier: 123345
Original Funding Commitment: \$266,340.47
Commitment Adjustment Amount: \$266,340.47
Adjusted Funding Commitment: \$0.00
Funds Disbursed to Date: \$237,411.69
Funds to be Recovered from Applicant: \$237,411.69

Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the course of a review, you were asked to provide information regarding Martin Friedman and Alomar Consulting and the roles he played at your school, including his role in the competitive bidding and vendor selection process. You did not provide specifics regarding the role played by Mr. Friedman in your competitive bidding and vendor selection process. Therefore, USAC is unable to make a determination if your school engaged in a fair and open competitive bidding process free from conflicts of interest. Neither the applicant nor the applicant's consultant should have a relationship with a service provider prior to the competitive bidding that would unfairly influence the outcome of a competition or would furnish the service provider with inside information to allow it to unfairly compete in any way. Therefore, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

PLEASE SEND A COPY OF THIS PAGE WITH YOUR
CHECK TO ENSURE TIMELY PROCESSING

Please note that if the Funds to be Recovered from the Applicant is less than what was reported on the Notification of Commitment Adjustment Letter or the 1st Demand Payment Letter, it is because you have partially repaid the debt or because the Service Provider has partially repaid the debt.

Catherine Manning
PLEASANTVILLE SCHOOL DISTRICT
P.O. Box 969
Pleasantville, NJ 08232-0960



Universal Service Administrative Company

Schools and Libraries Program

**Demand Payment Letter
SECOND REQUEST**

(Funding Year 2005: July 1, 2005 - June 30, 2006)

September 18, 2017

Catherine Manning
PLEASANTVILLE SCHOOL DISTRICT
P.O. Box 860
Pleasantville, NJ 08237-0860

- PAST DUE NOTICE -

**THIS NOTICE PROVIDES IMPORTANT INFORMATION ABOUT YOUR
ACCOUNT AND YOUR RIGHTS AND OBLIGATIONS UNDER LAW**

Re: Form 471 Application Number:	465093
Funding Year:	2005
Applicant's Form Identifier:	PS015.3
Billed Entity Number:	121365
FCC Registration Number:	0008816231
SPIN:	143008185
Service Provider Name:	Comfac Systems, Inc
Service Provider Contact Person:	Michael Vertolli
Payment Due By:	9/18/2017

You were recently sent a Demand Payment Letter informing you of the need to recover funds for the Funding Request Number(s) (FRNs) listed on the Funding Commitment Adjustment Report (Report) attached to this letter. Our records indicate that you have not responded to the Demand Payment letter. As of 09/18/2017, the debt is 31-60 days past due. Because you did not pay the full amount, it is past due (delinquent), and it is legally enforceable.

THE FOLLOWING PROVISIONS CONTAIN IMPORTANT INFORMATION AND A DESCRIPTION OF LEGAL RIGHTS, OBLIGATIONS, AND OPPORTUNITIES

1. Pursuant to the provisions of the Debt Collection Act of 1992 (Public Law 97-365) and the Debt Collection Improvement Act of 1996 (Public Law 104-134), as amended (the DCIA), as set forth below, continued failure to make the demanded payment has resulted in the assessment of administrative charges, penalties, and interest, and it may result in sanctions, including, but not limited to, administrative proceedings or judicial action to recover the outstanding debt.
2. Unless we receive full payment, evidence that the debt is not owed, or a request for installment payment plan for repaying the outstanding debt within 30 days of the date of this letter (Demand Date), pursuant to the DCIA, you may incur additional charges and costs, and the debt may be transferred to the Secretary of Treasury (Treasury) for debt collection. The FCC has determined that the funds are

Information on this document is available on the USAC website at www.usac.fcc.gov.
2017-09-18 11:11:11 AM EDT
USAC-2017-09-18 11:11:11 AM EDT

owed to the United States pursuant to the provisions of 31 U.S.C. § 3701 and 47 U.S.C. § 354. Because the unpaid amount is a debt owed to the United States, we are required by the DCIA to impose interest and to inform you what may happen if you do not pay the full outstanding debt. Under the DCIA, the United States will charge interest from the date of this notice, and you will be required to pay the administrative costs of processing and handling a delinquent debt as set by the Treasury. The Treasury will impose additional charges (currently 20% of the debt). Additional information regarding the DCIA is available at 31 U.S.C. §§ 3701, 3711, 3715, 3717 and 3720A, the Federal Claims Collection Standards (e.g. 31 C.F.R. § 300.1, et seq.) and 47 C.F.R. § 1.1901, et seq.

3. Please be advised that when the debt is transferred, you may be subject to an administrative proceeding if one has not already been initiated (see 47 C.F.R. § 1.1914). For example, information about your delinquent account has been or will be reported to credit bureaus (see 31 U.S.C. § 3711(a)) and administrative offset has been or may be applied (see 31 U.S.C. § 3716). Moreover, under 31 U.S.C. § 3720A, a person owing an outstanding non-tax debt that is in delinquent status shall not be eligible for Federal financial assistance. Furthermore, the debt may be referred to the United States Department of Justice (DOJ) for enforced collection, which may result in additional administrative costs. Separately, we may also request action by the Commission's Enforcement Bureau.

4. Pursuant to the Commission's DCIA Order (FCC 04-12, released Apr. 13, 2004), the FCC will withhold action on any application or request for benefits made by an entity that is delinquent in its non-tax debts owed to the Commission and shall disallow such applications or requests if the delinquent debt is not resolved. The Commission has generally referred to this as the "Red Light Rule". This rule applies to the Schools and Libraries Universal Service Support Mechanism. The Fifth Report and Order (FCC 04-130, released Aug. 13, 2004) directed USAC to disallow any outstanding requests for funding commitments if an entity has not paid the outstanding debt, or made otherwise satisfactory arrangements within 30 days (see Fifth Report and Order at ¶ 42). Therefore, pursuant to the DCIA Order and the Fifth Report and Order, failure to make full payment or arrangements for payment within 30 days of the date of this letter may cause USAC to place you under the provisions of the Red Light Rule. For more information on the Red Light Rule, please see "Red Light Frequently Asked Questions (FAQs)" posted on the FCC website at <https://www.fcc.gov/enforcement/red-light-frequently-asked-questions>. In determining whether an entity is delinquent for purposes of the Red Light Rule, the Commission matches the FCC Registration Number of the applying entity to its database of debts; the applicant's FCC Registration Number will be linked to all other FCC Registration Number's associated with the same Taxpayer Identification Number (TIN). To obtain an ERM, go to the registration site <https://apps.fcc.gov/erms/registration>.

Opportunity of Inspection and Review

5. You have an opportunity to inspect and copy the invoice and the records pertinent to the debt. The Notification of Commitment Adjustment Letter constituted notice of your opportunity to appeal the validity of the debt. However, if you have evidence that all or part of the Debt has been paid and is no longer delinquent, you must present it to us within fifteen (15) days of the date of this Demand. If your debt is under appeal, either at USAC or the FCC, you will not be transferred under the DCIA to the Treasury for further collections activities.

Opportunity to Request Repayment Agreement

6. You have an opportunity to request a written repayment agreement (which includes a Promissory Note) to pay the full amount of the debt. If due to financial hardship you are unable to pay the full amount of the past due invoice in a lump sum, you may contact our Customer Service Office to request an installment

payment plan, which will require the payment of interest and execution of a promissory note. If you fail to pay the installment payment plan amount in full, plus accrued interest, penalties, and administrative charges, several administrative or judicial actions may result. First, your delinquent account information will be reported to credit bureaus, your account will be subject to administrative action by the FCC and the Treasury, including administrative offset, denial of certain Federal benefits, withholding of action on any pending application (see 47 C.F.R. § 1.1910 (Red Light)), and referral to private collection attorneys. Next, we may refer the circumstances of your delinquency to the FCC's Enforcement Bureau for further action. Finally, your delinquent debt may be transferred to either the Treasury for further administrative collection or the DOJ for enforced collection.

To provide evidence that all or part of the debt has been paid or request an installment payment plan, you may notify us in writing by mail or facsimile transmission at the following address and telephone numbers:

Schools and Libraries Program
Correspondence Unit
10 Lanixx Place West, P.O. Box 535
Parampany, NJ 07654-0535
Phone Number: 973-581-5395
Fax Number: 973-589-6582

If USAC has determined that both the applicant and the service provider are responsible for a program rule violation, then, pursuant to the Order on Reconsideration and Fourth Report and Order (FCC 01-121) (Fourth Report and Order), USAC will seek recovery of the improperly disbursed amount from BOTH parties and will continue to seek recovery until either or both parties have fully paid the debt. If USAC has determined that both the applicant and the service provider are responsible for a program rule violation, this will be indicated in the Funding Commitment Adjustment Explanation on the Funding Commitment Adjustment Report.

If USAC is attempting to collect all or part of the debt from both the applicant and the service provider, then you should work with your service provider to determine who will be repaying the debt in need of immediate payment. Please note, however, that the debt is the responsibility of both the applicant and service provider. Therefore, you are responsible for ensuring that the debt is paid in a timely manner.

Please remit payment for the full "Funds to be Recovered from Applicant" amount shown in the Report. To ensure that your payment is properly credited, please include a copy of the Report with your check. Make your check payable to the Universal Service Administrative Company (USAC).

Use one of the appropriate addresses listed below to send payments to USAC.

U.S. Postal Service and Standard Mail for Payments:

USAC
PO Box 105056
Atlanta, GA 30328-5056

Courier and Overnight Packages:

USAC
Lockbox 105056
1675 Loop Road
Atlanta, GA 30327
(404) 204-6377

ACH payments:

USAC requests that all ACH payment be sent in CCD+ format to:
ABA Routing 2071000039, Account 33330049653

PAYMENT MUST BE RETURNED IMMEDIATELY.

Complete program information is posted to the ELP section of the USAC web site at www.usac.org/elp/. You may also contact the ELP Technical Client Service Bureau by e-mail using the "Submit a Question" link on the ELP web site, by fax at 1-888-276-2736 or by phone at 1-888-203-2100. Contacting ELP for questions does not change the deadline for your response to this letter.

Universal Service Administrative Company
Schools and Libraries Program

Funding Commitment Adjustment Report
for Form 471 Application Number: 485093

Funding Request Number: 1344965
Services Ordered: INTERNAL CONNECTIONS MEET
SWIN: 143408182
Service Provider Name: Costco Systems, Inc.
Contract Number: N/A
Billing Account Number: 000
Site Identifier: 1344965
Original Funding Commitment: \$7,200.00
Commitment Adjustment Amount: \$7,200.00
Adjusted Funding Commitment: \$0.00
Funds Disturbed to Date: \$7,200.00
Funds to be Recovered from Applicant: \$7,200.00

Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the course of a review, you were asked to provide information regarding Martin Friedman and Almas Consulting and the roles he played at your school, including his role in the competitive bidding and vendor selection process. You did not provide specifics regarding the role played by Mr. Friedman in your competitive bidding and vendor selection process. Therefore, USAC is unable to make a determination if your school engaged in a fair and open competitive bidding process free from conflicts of interest. Neither the applicant nor the applicants consultant should have a relationship with a service provider prior to the competitive bidding that would unfairly influence the outcome of a competition or would furnish the service provider with inside information or allow it to unfairly compete in any way. Therefore, the commitment has been rescinded in full and USAC will seek recovery of any improperly disturbed funds from the applicant.

PLEASE SEND A COPY OF THIS PAGE WITH YOUR
CHECK TO ENSURE TIMELY PROCESSING

Please note that if the Funds to be Recovered from the Applicant is less than what was reported on the Notification of Commitment Adjustment letter or the 1st Demand Payment letter, it is because you have partially repaid the debt or because the Service Provider has partially repaid the debt.

Funding Request Number:	1345400
Services Ordered:	INTERNAL CONNECTIONS
EFIN:	143000185
Service Provider Name:	Center Systems, Inc
Contract Number:	N/A
Billing Account Number:	FIN
Site Identifier:	123325
Original Funding Commitment:	\$34,174.80
Commitment Adjustment Amount:	\$34,174.80
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date:	\$34,174.80
Funds to be Recovered from Applicant:	\$34,174.80

Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the course of a review, you were asked to provide information regarding Martin Friedman and Alomar Consulting and the roles he played at your school, including his role in the competitive bidding and vendor selection process. You did not provide specifics regarding the role played by Mr. Friedman in your competitive bidding and vendor selection process. Therefore, USAC is unable to make a determination if your school engaged in a fair and open competitive bidding process free from conflicts of interest. Neither the applicant nor the applicant's consultant should have a relationship with a service provider prior to the competitive bidding that would unfairly influence the outcome of a competition or would furnish the service provider with inside information or allow it to unfairly compete in any way. Therefore, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

**PLEASE SEND A COPY OF THIS PAGE WITH YOUR
CHECK TO ENSURE TIMELY PROCESSING**

Please note that if the Funds to be Recovered from the Applicant is less than what was reported on the Notification of Commitment Adjustment Letter or the 1st Demand Payment Letter, it is because you have partially repaid the debt or because the Service Provider has partially repaid the debt.

Funding Request Number:	1745358
Services Ordered:	INTERNAL CONNECTIONS UNIT
SEIN:	143008185
Service Provider Name:	Coastal Systems, Inc
Contract Number:	N/A
Billing Account Number:	PSD
Site Identifier:	123365
Original Funding Commitment:	\$46,082.00
Commitment Adjustment Amount:	\$46,082.00
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date:	\$46,082.00
Funds to be Recovered from Applicant:	\$46,082.00

Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the course of a review, you were asked to provide information regarding Martin Friedman and Alomar Consulting and the roles he played at your school, including his role in the competitive bidding and vendor selection process. You did not provide specifics regarding the role played by Mr. Friedman in your competitive bidding and vendor selection process. Therefore, USAC is unable to make a determination if your school engaged in a fair and open competitive bidding process free from conflicts of interest. Neither the applicant nor the applicant's consultant should have a relationship with a service provider prior to the competitive bidding that would unfairly influence the outcome of a competition or would furnish the service provider with inside information or allow it to unfairly compete in any way. Therefore, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

**PLEASE SEND A COPY OF THIS PAGE WITH YOUR
CHECK TO ENSURE TIMELY PROCESSING**

Please note that if the Funds to be Recovered from the Applicant is less than what was reported on the Notification of Commitment Adjustment letter or the 1st Demand Payment Letter, it is because you have partially repaid the debt or because the Service Provider has partially repaid the debt.

Schools and Libraries: 00000000000000000000

Page 1 of 1

2/18/2017

Catherine Manning
PLEASANTVILLE SCHOOL DISTRICT
P.O. Box 960
Pleasantville, NJ 08232-0960



Universal Service Administrative Company

Schools and Libraries Program

**Demand Payment Letter
SECOND REQUEST**

[Funding Year 2005: July 1, 2005 - June 30, 2006]

September 18, 2017

Catharine Manning

PLEASANTVILLE SCHOOL DISTRICT

P.O. Box 960

Pleasantville, NJ 08232-0960

- PAST DUE NOTICE -

**THIS NOTICE PROVIDES IMPORTANT INFORMATION ABOUT YOUR
ACCOUNT AND YOUR RIGHTS AND OBLIGATIONS UNDER LAW**

Re: Form 471 Application Number:	465454
Funding Year:	2005
Applicant's Form Identifier:	PSDRB.3
Billed Entity Number:	123365
FCC Registration Number:	0006516231
SPIN:	143810147
Service Provider Name:	XTel Communications, Inc.
Service Provider Contact Person:	John Waring
Payment Due By:	9/18/2017

You were recently sent a Demand Payment Letter informing you of the need to recover funds for the Funding Request Number(s) (FRN(s)) listed on the Funding Commitment Adjustment Report (Report) attached to this letter. Our records indicate that you have not responded to the Demand Payment Letter. As of 09/18/2017, the debt is 31-60 days past due. Because you did not pay the full amount, it is past due (delinquent), and it is legally enforceable.

THE FOLLOWING PROVISIONS CONTAIN IMPORTANT INFORMATION AND A DESCRIPTION OF LEGAL RIGHTS, OBLIGATIONS, AND OPPORTUNITIES

1. Pursuant to the provisions of the Debt Collection Act of 1982 (Public Law 97-365) and the Debt Collection Improvement Act of 1996 (Public Law 104-194), as amended (the DCIA), as set forth below, continued failure to make the demanded payment has resulted in the assessment of administrative charges, penalties, and interest, and it may result in sanctions, including, but not limited to, administrative proceedings or judicial action to recover the outstanding debt.
2. Unless we receive full payment, evidence that the debt is not owed, or a request for installment payment plan for repaying the outstanding debt within 30 days of the date of this letter (Demand Date), pursuant to the DCIA, you may incur additional charges and costs, and the debt may be transferred to the Secretary of Treasury (Treasury) for debt collection. The FCC has determined that the funds are

Schools and Libraries Program - Universal Service Fund
30 LORRAINE PLACE EAST, P.O. BOX 100, PLEASANTVILLE, NJ 08232-0100
THESE ARE THE ONLY ADDRESSES FOR THE SERVICE PROVIDER

owed to the United States pursuant to the provisions of 31 U.S.C. § 3701 and 47 U.S.C. § 254. Because the unpaid amount is a debt owed to the United States, we are required by the DCIA to impose interest and to inform you what may happen if you do not pay the full outstanding debt. Under the DCIA, the United States will charge interest from the date of this notice, and you will be required to pay the administrative costs of processing and handling a delinquent debt as set by the Treasury. The Treasury will impose additional charges (currently 2% of the debt). Additional information regarding the DCIA is available at 31 U.S.C. §§ 3701, 3711, 3716, 3717 and 3720B, the Federal Claims Collection Standards (e.g. 31 C.F.R. § 900.1, et seq.) and 47 C.F.R. § 1.1901, et seq.

3. Please be advised that when the debt is transferred, you may be subject to an administrative proceeding if one has not already been initiated (see 47 C.F.R. § 1.1910). For example, information about your delinquent account has been or will be reported to credit bureaus (see 31 U.S.C. § 3711(a)) and administrative action has been or may be applied (see 31 U.S.C. § 3716). Moreover, under 31 U.S.C. § 3720B, a person owing an outstanding non-tax debt that is in delinquent status shall not be eligible for Federal financial assistance. Furthermore, the debt may be referred to the United States Department of Justice (DOJ) for enforced collection, which may result in additional administrative costs. Separately, we may also request action by the Commission's Enforcement Bureau.

4. Pursuant to the Commission's DCIA Order (FCC 04-22, released Apr. 13, 2004), the FCC will withhold action on any application or request for benefits made by an entity that is delinquent in its non-tax debts owed to the Commission and shall dismiss such applications or requests if the delinquent debt is not resolved. The Commission has generally referred to this as the "Red Light Rule". This rule applies to the Schools and Libraries Universal Service Support Mechanism. The Fifth Report and Order (FCC 04-196, released Aug. 13, 2004) directed USAC to dismiss any outstanding requests for funding commitments if an entity has not paid the outstanding debt, or made otherwise satisfactory arrangements within 30 days (see Fifth Report and Order at ¶ 42). Therefore, pursuant to the DCIA Order and the Fifth Report and Order, failure to make full payment or arrangements for payment within 30 days of the date of this letter may cause USAC to place you under the provisions of the Red Light Rule. For more information on the Red Light Rule, please see "Red Light Frequently Asked Questions (FAQs)" posted on the FCC website at <https://www.fcc.gov/enforcement/red-light-frequently-asked-questions>. In determining whether an entity is delinquent for purposes of the Red Light Rule, the Commission matches the FCC Registration Number of the applying entity to its database of debts; the applicant's FCC Registration Number will be linked to all other FCC Registration Numbers associated with the same taxpayer identification number (TIN). To obtain an FRN, go to the Registration Site <https://apps.fcc.gov/eas/eh-publications.do>.

Opportunity of Inspection and Review

5. You have an opportunity to inspect and copy the invoices and the records pertinent to the debt. The Notification of Commitment Adjustment Letter constituted notice of your opportunity to appeal the validity of the debt. However, if you have evidence that all or part of the debt has been paid and is no longer delinquent, you must present it to us within fifteen (15) days of the date of this Demand. If your debt is under appeal, either at USAC or the FCC, you will not be transferred under the DCIA to the Treasury for further collections activities.

Opportunity to Request Repayment Agreement

6. You have an opportunity to request a written repayment agreement (which includes a Promissory Note) to pay the full amount of the debt. If due to financial hardship you are unable to pay the full amount of the past due invoice in a lump sum, you may contact our Customer Service Office to request an installment

payment plan, which will require the payment of interest and execution of a promissory note. If you fail to pay the installment payment plan amount in full, plus accrued interest, penalties, and administrative charges, several administrative or judicial actions may result. First, your delinquent account information will be reported to credit bureaus, your account will be subject to administrative action by the FIC and the Treasury, including administrative offset, denial of certain federal benefits, withholding of action on any pending application (see 47 C.F.R. § 1.1210 (Red Light)), and referral to private collection attorneys. Next, we may refer the circumstances of your delinquency to the FIC's Enforcement Bureau for further action. Finally, your delinquent debt may be transferred to either the Treasury for further administrative collection or the DOJ for enforced collection.

To provide evidence that all or part of the debt has been paid or request an installment payment plan, you may notify us in writing by mail or facsimile transmission at the following address and telephone number:

Schools and Libraries Program-
Correspondence Unit
30 Madison Plaza West, P.O. Box 485
Parsippany, NJ 07054-0485
Phone Number: 973-531-3335
Fax Number: 973-531-3582

If USAC has determined that both the applicant and the service provider are responsible for a program rule violation, then, pursuant to the Order on Reconsideration and Fourth Report and Order (RUC 04-181) (Fourth Report and Order), USAC will seek recovery of the improperly disbursed amount from BOTH parties and will continue to seek recovery until either or both parties have fully paid the debt. If USAC has determined that both the applicant and the service provider are responsible for a program rule violation, this will be indicated in the Funding Commitment Adjustment Explanation on the Funding Commitment Adjustment Report.

If USAC is attempting to collect all or part of the debt from both the applicant and the service provider, then you should work with your service provider to determine who will be repaying the debt to avoid duplicate payment. Please note, however, that the debt is the responsibility of both the applicant and service provider. Therefore, you are responsible for ensuring that the debt is paid in a timely manner.

Please remit payment for the full "Funds to be Recovered from Applicant" amount shown in the Report. To ensure that your payment is properly credited, please include a copy of the Report with your check. Make your check payable to the Universal Service Administrative Company (USAC).

Use one of the appropriate addresses listed below to send payments to USAC.

U.S. Postal Service and Standard Mail for Payments:

USAC
PO Box 105056
Atlanta, GA 30345-0056

Courier and Overnight Packages:

USAC
Lockbox 105056
1075 Loop Road
Atlanta, GA 30337
(404) 509-4377

ACH payments:

USAC requests that all ACH payment be sent to CEP+ format to:
ABA Routing #071000035, Account #1550045653

PAYMENT MUST BE RETURNED IMMEDIATELY.

Complete program information is posted to the SLF section of the USAC web site at www.usac.org/slf/. You may also contact the SLF Technical Client Service Bureau by e-mail using the "Submit a Question" link on the SLF web site, by fax at 1-888-276-5736 or by phone at 1-888-203-8100. Contacting SLF for questions does not change the deadline for your response to this letter.

Universal Service Administrative Company
Schools and Libraries Program

USAC and its affiliates are not responsible for the content of this letter. USAC and its affiliates are not responsible for the content of this letter.

**Funding Commitment Adjustment Report
for Form 471 Application Number: 885464**

Funding Request Number:	1346362
Services Ordered:	TELECOM SERVICES
SPIN:	14210147
Service Provider Name:	Xtel Communications, Inc.
Contract Number:	N/A
Billing Account Number:	6093336800 - Local
Site Identifier:	123385
Original Funding Commitment:	\$35,175.00
Commitment Adjustment Amount:	\$35,175.00
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date:	\$18,206.69
Funds to be Recovered from Applicant:	\$18,206.69

Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the course of a review, you were asked to provide information regarding Martin Friedman and Alenar Consulting and the roles he played at your school, including his role in the competitive bidding and vendor selection process. You did not provide specifics regarding the role played by Mr. Friedman in your competitive bidding and vendor selection process. Therefore, USAC is unable to make a determination if your school engaged in a fair and open competitive bidding process free from conflicts of interest. Neither the applicant nor the applicant's consultant should have a relationship with a service provider prior to the competitive bidding that would unfairly influence the outcome of a competition or would furnish the service provider with inside information or allow it to unfairly compete in any way. Therefore, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

**PLEASE SEND A COPY OF THIS PAGE WITH YOUR
CHECK TO ENSURE TIMELY PROCESSING**

Please note that if the Funds to be Recovered from the Applicant is less than what was reported on the Notification of Commitment Adjustment Letter or the 1st Demand Payment Letter, it is because you have partially repaid the debt or because the Service Provider has partially repaid the debt.

Funding Request Number:	1340307
Services Ordered:	TELECOM SERVICES
SPIN:	149010147
Service Provider Name:	XRS Communications, Inc.
Contract Number:	MTM
Billing Account Number:	0000000000 - 10
Site Identifier:	123300
Original Funding Commitment:	\$15,120.00
Commitment Adjustment Amount:	\$15,120.00
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date:	\$6,175.87
Funds to be Recovered from Applicant:	\$6,175.87

Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the course of a review, you were asked to provide information regarding Martin Friedman and Alexander Consulting and the roles he played at your school, including his role in the competitive bidding and vendor selection process. You did not provide specifics regarding the role played by Mr. Friedman in your competitive bidding and vendor selection process. Therefore, OSAC is unable to make a determination if your school engaged in a fair and open competitive bidding process free from conflicts of interest. Neither the applicant nor the applicant's consultant should have a relationship with a service provider prior to the competitive bidding that would unfairly influence the outcome of a competition or would furnish the service provider with inside information or allow it to unfairly compete in any way. Therefore, the commitment has been rescinded in full and OSAC will seek recovery of any improperly disbursed funds from the applicant.

**PLEASE SEND A COPY OF THIS PAGE WITH YOUR
CHECK TO ENSURE TIMELY PROCESSING**

Please note that if the Funds to be Recovered from the Applicant is less than what was reported on the Notification of Commitment Adjustment Letter or the 1st Demand Payment Letter, it is because you have partially repaid the debt or because the Service Provider has partially repaid the debt.

OSAC's New York Office: 1000 Avenue of the Americas, 10th Floor, New York, NY 10020-1097

Page 2 of 2

2015/01/17



FUNDING COMMITMENT DECISION LETTER SUPPLEMENT

Thank you for your Funding Year 2017 application for the Schools and Libraries Universal Service Support Program (E-rate) and for any assistance you provided throughout our review. The current funding statuses of the FCC Form 471 funding requests are included in the News post in your E-rate Productivity Center (EPC) account.

The Universal Service Administrative Company (USAC) is sending this information to both the applicant(s) and the service provider(s) so that you can work together to implement the approved discount(s) after the applicant files the FCC Form 486, Receipt of Service Confirmation and Children's Internet Protection Act (CIPA) requirements.

NEXT STEPS

Applicants and service providers should work together to determine if bills will be discounted or if the applicant will request reimbursement from USAC after paying their bills in full. Applicants should then:

- Review CIPA requirements.
- File the FCC Form 486.

Once the FCC Form 486 has been filed, invoice USAC using the FCC Form 472, Billed Entity Applicant Reimbursement (BEAR) Form, as products and services are being delivered and billed. If you have opted to pay only your portion of the cost of the eligible services, then the service provider must file an FCC Form 474, Service Provider Invoice (SPI) Form, to receive reimbursement from USAC.

TO APPEAL THIS DECISION

If you wish to appeal a decision in this letter to USAC, your appeal must be filed within 60 days of the date of this letter. Failure to meet this deadline will result in automatic dismissal of your appeal. All appeals must be filed in EPC by selecting "Appeal" from the menu in the top right hand corner of your landing page and providing the requested information.

Your appeal should include the following information. Because you file the appeal through your EPC account, the system will automatically add much of the following identifying information for you.

- 1) Name, address, telephone number, and email address for the contact person for this appeal.
- 2) State outright that your letter is an appeal. Include the following to identify the USAC decision letter (e.g., FCDL) and the decision you are appealing:
 - a. Appellant name,
 - b. Applicant name and service provider name, if different from appellant,
 - c. Applicant BEN and Service Provider Identification Number (SPIN)
 - d. FCC Form 471 Application Number and the Funding Request Number (FRN) or Numbers as assigned by USAC,
 - e. "Funding Commitment Decision Letter for Funding Year 2017," AND the exact text or the decision that you are appealing.



- 3) Please keep your appeal to the point, and provide supporting documentation. Be sure to keep a copy of your entire appeal, including any correspondence and documentation. A copy will automatically be saved for you in EPC.
- 4) If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision to the applicant(s) affected by USAC's decision.

If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by your decision. USAC will reply to your appeal submissions to confirm receipt.

For more information on submitting an appeal to USAC including step by step instructions on how to file the appeal through EPC, please see "Appeals" in the Schools and Libraries section of the USAC website.

Please remember that waivers of an official E-rate rule can only be sought at the Federal Communications Commission (FCC), not USAC. Conversely, the FCC will not accept appeals of USAC decisions that have not first been appealed to USAC. See 47 C.F.R. § 54.719.

OBLIGATION TO PAY NON-DISCOUNT PORTION

Applicants are required to pay the non-discount portion of the cost of the products and/or services to their service provider(s). Service providers are required to bill applicants for the non-discount portion. The FCC stated that requiring applicants to pay their share ensures efficiency and accountability in the program. If USAC is being billed via the FCC Form 474, the service provider must first bill the applicant before it bills USAC. If USAC is being billed via the FCC Form 472 (BEAR), the applicant pays the service provider in full (the non-discount plus discount portion) and then seeks reimbursement from USAC. Note that starting on July 1, 2017, applicants submitting BEARs will be reimbursed directly by USAC. If you anticipate, for any reason, that you or your service provider cannot file an invoice on time, a one-time 120 invoice deadline extension will be granted to extension requests receive on or before the last date to invoice. If you are using a trade-in as part of your non-discount portion, please refer to Disposal or Trade-in of Equipment posted in the Reference Area of our website for more information.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program and the FCC's rules. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds.

Schools and Libraries Division
Universal Service Administrative Company



1 N. New York Rd., Suite 39
Galloway, NJ 08205
Phone: (609) 404-3440
Fax: (609) 404-3441

James J. Carroll, III (AZ and NJ Bar)
Benjamin B. Brenner (NJ Bar)
Daniel J. Gallagher (NJ Bar) *Of Counsel*
Darryl Rhone (NJ Bar) *Of Counsel*

CasinoAtty@aol.com
Ben@CarrollLawFirm.com

October 2, 2017

Via Email Sheila.murray@usac.org

Sheila Murray
Universal Service Administrative Co.
Schools and Libraries Program
PO Box 7026
Lawrence, KS 66044-7026

Re: PAST DUE NOTICE	
FORM 471 APPLICATION NUMBER	484579
FUNDING YEARS	2005/2006
APPLICANT'S FORM IDENTIFIER	PSDY8.1
BILLING ENTITY NUMBER	123365
FCC REGISTRATION NUMBER	0006516231
SPIN	143001362
SERVICE PROVIDER NAME	VERIZON NEW JERSEY INC.
SERVICE PROVIDED CONTACT	ROBERT KANNEGIESER

Ms. Murray:

As you are aware, we are counsel for the Pleasantville School District. Attached please find documentation from USAC to the District which includes Demand Payment Letter(s) – Second Request(s).

Attached hereto as well please find a certification from the District's Business Administration/Board Secretary Elisha Thompkins that the attached documentation is the first notice the District has received from USAC regarding this claim. (See attached certification).

Based upon a telephone conversation you had with my paralegal, Karyn White, it is our understanding that while you have requested retrieval of the entire file, it is your belief that two prior notifications were sent to the District: 1) Commitment Adjustment Notice dated June 16, 2017; and 2) Demand Letter(s) – First Notice(s) dated August 17, 2017.

It is the assertion of the District, as indicated in the attached certification submitted, that it never received either the Commitment Adjustment Notice dated June 16, 2017 or Demand Letter(s) – First Notice(s) dated August 17, 2017.

You indicated on the phone that you are legally required to provide us with the entire file, including any and all notices previously sent, within seven (7) days of our request; however, you will attempt to get us the same in the next couple of days. Upon receipt and review of the same, we will provide a response to USAC's demand for repayment of this debt. However, kindly allow this correspondence to place USAC on notice that the District intends to: dispute the propriety of the debt; and/or seek a waiver; and/or appeal the notification based upon, *inter alia*, the extraordinary circumstance that over eleven (11) have passed since the time the funding was provided until the date that USAC notified the District that it wanted the money back.

Surely, you are aware of the FCC's policy directive that USAC finish its investigations and seek recovery within five years of the final delivery of service for a specific funding year and that in the Fifth Report and Order, the Commission "for administrative efficiency" announced a policy that inquiries related to wrongful E-rate program disbursements should be completed within five years of the final delivery of service for a specific funding year.¹ The Commission found that this policy struck "an appropriate balance between preserving the Commission's fiduciary duty to protect the fund against waste, fraud and abuse and the beneficiaries' need for certainty and closure in their E-rate application processes."² In this instance, it took USAC over eleven (11) years to finish its inquiries of the funding year 2005 disbursements.

USAC and the Commission have a duty to make sure that the E-rate program is operated efficiently and effectively for the benefit of our nation's schools and libraries. While we will obviously wait to receive the requested documentation and the entire file before filing the appropriate dispute/waiver/appeal, we are seriously concerned that USAC waited such an extraordinary long time – over a decade! – to 1) seek repayment of money that was previously provided to the District; and 2) to seek money that the District no longer has in its possession because it was used to pay the service providers. (See attached certification hereto). In our initial

¹ Schools and Libraries Universal Service Support Mechanism, C C Docket 02-6, Fifth Report and Order, 19 FCC Red 15808, 15819 (2004) (Fifth Report and Order).

² Ibid.

review of the matter, we respectfully submit that such action is not following the directive to operate "efficiently and effectively for the benefit of our nation's schools."

Kindly be so advised. Thank you for your attention to this matter.

Very truly yours,

s/Benjamin B. Brenner
BENJAMIN B. BRENNER, ESQ.

BBB/klw

cc: James J. Carroll, III, Esq.
Dr. Clarence Alston
Elisha Thompson

4. The District never received a Commitment Adjustment letter/notice in June 2017; nor did it receive Demand Payment Letter(s) – First Notice(s) in August 2017.
5. The District is no longer in possession of the monies that USAC is seeking to recoup as the same was paid to the service providers in 2005 and 2006.
6. I certify that the statements made by me are true to the best of my knowledge, and that if the statements made by me are willfully false I may be subject to punishment.

DATE: October 2, 2017

s/Elisha Thompkins
Elisha Thompkins, Business Administrator
Pleasantville School District



1 N. New York Rd., Suite 39
Galloway, NJ 08205
Phone: (609) 404-3440
Fax: (609)404-3441

James J. Carroll, III (AZ and NJ Bar)
Benjamin B. Brenner (NJ Bar)
Daniel J. Gallagher (NJ Bar) *Of Counsel*
Darryl Rhone (NJ Bar) *Of Counsel*

CasinoAtty@aol.com
Ben@CarrollLawFirm.com

~~October 9, 2017~~
2nd REQUEST: October 13, 2017

Via Email Sheila.murray@usac.org

Sheila Murray
Universal Service Administrative Co.
Schools and Libraries Program
PO Box 7026
Lawrence, KS 66044-7026

Re: PAST DUE NOTICE	
FORM 471 APPLICATION NUMBER	484579
FUNDING YEARS	2005/2006
APPLICANT'S FORM IDENTIFIER	PSDY8.1
BILLING ENTITY NUMBER	123365
FCC REGISTRATION NUMBER	0006516231
SPIN	143001362
SERVICE PROVIDER NAME	VERIZON NEW JERSEY INC.
SERVICE PROVIDED CONTACT	ROBERT KANNEGIESER

Ms. Murray:

As you are aware, we are counsel for the Pleasantville School District. On October 2, 2017, we made a request for the entire file in the above matter. It was our understanding that the same would be provided within a couple of days but certainly no longer than within seven (7) days.

As of the date of this letter, we have not been provided a copy of the file. Kindly advise when we can expect the same and why there was a delay in answering our request.

Thank you for your immediate attention to this matter. We look forward to hearing from you at your earliest convenience.

Very truly yours,

s/Benjamin B. Brenner
BENJAMIN B. BRENNER, ESQ.

BBB/klw

cc: James J. Carroll, III, Esq.
Dr. Clarence Alston
Elisha Thompson



Universal Service
Administrative Co.

Notice of Dismissal

November 15, 2017

Catherine Manning
PLEASANTVILLE SCHOOL DISTRICT
801 MILL RD, 3RD FLOOR
PLEASANTVILLE, NJ 08232

Re: Notification of Withholding of Action Pending Red Light Rule

Application Number pending commitment: 171039912

Billed Entity: 123365

Fund Year(s): 2017

The Universal Service Administrative Company (USAC) has received funding requests and/or appeals for the applications cited above for funding under the Schools and Libraries Universal Service Support Mechanism (E-Rate). The Billed Entity associated with these applications holds FCC Registration Number: 0006516231.

As required by 47 C.F.R. § 1.1910(a)(1), we reviewed our records and determined that as of 09/18/2017, you or an entity sharing the same Taxpayer Identification Number (TIN) is delinquent on the payment of the following debt owed to USAC and/or the Federal Communications Commission (FCC):

PLEASANTVILLE SCHOOL DISTRICT \$403,517.54

Pursuant to 47 CFR § 1.1910(b), we issued a Notice of Withholding Action on 09/18/2017 explaining the nature of the debt(s) owed. As of the date of this letter, the debt has not been satisfied, and, therefore, the application and any appeals associated with the Billed Entity listed above are dismissed. No funding will be provided for any of the funding requests included in the application(s) and the appeals will not be reviewed.

Please be advised that any future applications, appeals, or invoices to the FCC or its reporting components, including but not limited to support from the Universal Service Fund, payments from the Telecommunications Relay Services Fund, or the issuance of telephone numbers from the North American Numbering Plan Administrator, will be reviewed to determine if any delinquent debts are outstanding.

Sincerely,

Schools and Libraries Division
Universal Service Administrative Company

Schools and Libraries Division - Correspondence Unit
30 Landex Plaza West, PO Box 685, Parsippany, NJ 07054-0685
Visit us online at: universalservice.org



1 N. New York Rd., Suite 39
Galloway, NJ 08205
Phone: (609) 404-3440
Fax: (609) 404-3441

James J. Carroll, III (AZ and NJ Bar)
Benjamin B. Brenner (NJ Bar)
Daniel J. Gallagher (NJ Bar) *Of Counsel*
Darryl Rhone (NJ Bar) *Of Counsel*

CasinoAtty@aol.com
Ben@CarrollLawFirm.com

November 28, 2017

Via email: Tracey.Beaver@usac.org

Tracey A. Beaver, Director, School and Library Division
Lanidex Plaza West
PO Box 685
Parsippany, NY 07054-0685

RE: Notification of Withholding Action Pending Red Light Rule
Application pending commitment: 171039912
Billed entity 123365
Fund Year 2017

Dear Ms. Beaver:

As you are aware, we represent Board counsel for the Pleasantville School District. We are in receipt of the above referenced "Notice of Dismissal" to the District dated November 15, 2017.

As you are aware, the District has disputed the alleged "delinquent amount" owed. By letter dated **October 2, 2017** to Sheila Murray, the District notified USAC that it disputed the propriety of the debt; and/or was going to seek a waiver; and/or appeal the notification based upon, *inter alia*, the extraordinary circumstance that over eleven (11) have passed since the time the funding was provided until the date that USAC first notified the District that it wanted the money back and further based upon the certification of the following:

1. On or about September 20, 2017, the District received its first notice from USAC which was a "Demand Payment Letter(s) – Second Notice(s)" relating to the following funding received

in 2005/2006; and

FORM 471 APPLICATION NUMBER	484579
FUNDING YEARS	2005/2006
APPLICANT'S FORM IDENTIFIER	PSDY8.1
BILLING ENTITY NUMBER	123365
FCC REGISTRATION NUMBER	0006516231
SPIN	143001362
SERVICE PROVIDER NAME	VERIZON NEW JERSEY INC.
SERVICE PROVIDED CONTACT	ROBERT KANNEGIESER

2. This was the first correspondence and/or notice that the District received relating to this matter; and
3. The District never received a Commitment Adjustment letter/notice in June 2017; nor did it receive Demand Payment Letter(s) – First Notice(s) in August 2017; and
4. The District is no longer in possession of the monies that USAC is seeking to recoup as the same was paid to the service providers in 2005 and 2006.

Said letter dated October 2, 2017 also requested a copy of the entire file. USAC provided a copy of the file to us on October 31, 2017, almost three weeks later and only after several follow up inquiries. The District was only first notified of this alleged debt in September 2017. We could not get a copy of the file until October 31st. We had this voluminous file in our possession for less than two weeks when the District received the Notice of Dismissal for 2017. It is ironic that it took USAC over 11 years to determine that money was allegedly improperly paid to the District but that presently, USAC is moving rather quickly to deny any further monies to the District. We respectfully assert that this is unfair, unreasonable and not in the interest of justice or equity to the District.

Moreover, the documentation in the file indicates, among other things, that in **2010**, the District did respond to an inquiry from Linda Grieger, USAC, Schools and Library Division relating to information about an individual named Martin Friedman. In several of the responses the District provided to USAC inquiries, the District indicated that the matter was currently in litigation and that the Board's solicitor would be providing additional information as requested.

Based upon the same, we have attempted to contact the Board's solicitor at the time, namely Ray Hamlin, Esq. to determine what information was provided on the District's behalf. We are awaiting his response.

Therefore, we respectfully request on behalf of the District that any application by the District for 2017 be held in abeyance for a reasonable time period; we suggest sixty days (60) from the date of the Notice of Dismissal dated November 15, 2017; thus, permitting the District a reasonable amount of time to investigate, refute, appeal, or seek a waiver of the claim by USAC that it is owed \$403,517.54.

While your letter dated October 30, 2017 asserts that the policy regarding the administrative period for conducting investigations and audits does not affect the statute of limitations applicable under DCIA, as indicated in prior correspondence and above, we intend to challenge USAC assertion that this was a valid debt. We further we respectfully assert even if it is determined to be a debt, while the same may not be "controlled" by FCC's Fifth Report and Order, the collection of the same clearly violates the very nature of the "balance" the Commission sought to establish between "preserving the Commission's fiduciary duty to protect the fund against waste, fraud and abuse and the beneficiaries' need for certainty and closure in their E-rate application processes."

We appreciate your serious consideration of our request. Thank you for your immediate attention to this matter. We look forward to hearing from you.

BB/klw

cc: James J. Carroll, III, Esq.

Dr. Clarence Alston

Elisha Thompson

Sheila Murray (via email: Sheila.Murray@usac.org)

Cyndi Beach (via email: Cyndi.Beach@usac.org)

Very truly yours,

s/Benjamin B. Brenner

BENJAMIN B. BRENNER, ESQ.



1 N. New York Rd., Suite 39
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Phone: (609) 404-3440
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James J. Carroll, III (AZ and NJ Bar)
Benjamin B. Brenner (NJ Bar)
Daniel J. Gallagher (NJ Bar) *Of Counsel*
Darryl Rhone (NJ Bar) *Of Counsel*

CasinoAtty@aol.com
Ben@CarrollLawFirm.com

January 16, 2018

Via email: Tracey.Beaver@usac.org
Tracey A. Beaver, Director, School and Library Division
Lanidex Plaza West
PO Box 685
Parsippany, NY 07054-0685

Via Email Sheila.murray@usac.org
Sheila Murray
Universal Service Administrative Co.
Schools and Libraries Program
PO Box 7026
Lawrence, KS 66044-7026

RE: PAST DUE NOTICE

FORM 471 APPLICATION NUMBER	484579
FUNDING YEARS	2005/2006
APPLICANT'S FORM IDENTIFIER	PSDY8.1
BILLING ENTITY NUMBER	123365
FCC REGISTRATION NUMBER	0006516231
SPIN	143001362
SERVICE PROVIDER NAME	VERIZON NEW JERSEY INC.
SERVICE PROVIDED CONTACT	ROBERT KANNEGIESER

RE: Notification of Withholding Action Pending Red Light Rule
Application pending commitment: 171039912
Billed entity 123365

Fund Year 2017

Dear Ms. Beaver and Ms. Murray:

As you are aware, we are counsel for the Pleasantville School District. As you are also aware, we have been attempting to provide USAC with a response to its allegations that there is a delinquent amount owed by the District.

As previously indicated, by letter dated October 2, 2017 to Sheila Murray, the District notified USAC that it disputed the propriety of the debt; and/or was going to seek a waiver; and/or appeal the notification based upon, *inter alia*, the extraordinary circumstance that over eleven (11) have passed since the time the funding was provided until the date that USAC first notified the District that it wanted the money back and further based upon the certification of the following: (1) On or about September 20, 2017, the District received its first notice from USAC which was a "Demand Payment Letter(s) – Second Notice(s)" relating to the following funding received in 2005/2006; (2) this was the first correspondence and/or notice that the District received relating to this matter; (3) the District never received a Commitment Adjustment letter/notice in June 2017; nor did it receive Demand Payment Letter(s) – First Notice(s) in August 2017; and finally, (4) the District is no longer in possession of the monies that USAC is seeking to recoup as the same was paid to the service providers in 2005 and 2006.

Based upon information alleged in the file provided to the District, the same indicated that in **2010**, the District did respond to an inquiry from Linda Grieger, USAC, Schools and Library Division relating to information about an individual named Martin Friedman. In several of the responses the District provided to USAC inquiries, the District indicated that the matter was currently in "litigation" and that the "Board's solicitor" would be providing additional information as requested.

Based upon the same, we contacted Ray Hamlin, Esquire, of Hunt Hamlin & Ridley, 60 Park Place, 16th floor, Newark, NJ 07102 who was Board counsel in October 2010. We asked Mr. Hamlin whether he had any recollection or record of what information he provided to USAC. Attached please find a copy of a certification that we sent to Mr. Hamlin for his review and if agreeable, his signature. Upon receipt of the inquiry and certification, Mr. Hamlin responded via email:

I have had an opportunity to review the information that was sent to me. First I am in no position as of this moment to execute a certification. Second, I have seen no documents that reflect that our firm was ever placed on notice of this issue, who the notification was sent to, whether or not there is proof of its receipt and who specifically provided any response to it. As of this date, I have communicated with someone from your office advising that I nor anyone in this firm has ever heard of this issue prior to your initial inquiry. If you are able to provide responses to my inquiry perhaps I would be in a better position to decide how we can be of assistance.

Based upon Mr. Hamlin's response, we do not believe that there are any records of exactly

what was provided to USAC in response to its inquiry over eleven (11) years ago. It is clear now that the District has been severely prejudiced by the amount of time that has passed in attempting to defend itself from USAC's allegations.

Therefore, we respectfully renew our request on behalf of the District that any application by the District for 2017 continue to be held in abeyance. We also request a meeting with whomever at USAC is responsible for investigating and prosecuting this alleged "delinquent" debt from over eleven (11) years ago. Kindly forward this letter to your legal department if appropriate.

We are hopeful that such a meeting will allow the parties to amicably resolve this matter and permit the District a reasonable opportunity to further investigate, refute, appeal, or seek a waiver of the claim by USAC that it is owed \$403,517.54.

We appreciate your serious consideration of our request. We are available to meet with whomever has the appropriate authority to discuss this matter at your convenience. We look forward to hearing from you.

Thank you for your immediate attention and assistance to this matter.

BB/klw

cc: James J. Carroll, III, Esq.

Dr. Clarence Alston

Elisha Thompkins

Ray Hamlin, Esq. (via email)

Cyndi Beach (via email: Cyndi.Beach@usac.org)

Very truly yours,

s/Benjamin B. Brenner

BENJAMIN B. BRENNER, ESQ.

PLEASANTVILLE BOARD OF EDUCATION -OCTOBER 2010
BILL FOR SERVICES RENDERED

<u>DATE</u>	<u>SERVICES RENDERED</u>	<u>HOURS</u>	
10/1/10	Reviewed file and prepared for trial, reviewed Mora's deposition Re: Mora v. PBOE	1.0	(KS)
10/1/10	Prepared e-mail to Jim Riehman regarding issues related to HHR bill	.25	(RLH)
10/1/10	Research election law cases and reviewed Court Opinion and Appellate Division re: Caldwell v. Griffin	4.5	(RCH)
10/1/10	Drafted Motion for Summary Judgment and Brief Re: Caldwell v. Griffin	3.75	(RCH)
10/2/10	Final Draft of Brief for Summary Judgment re: Caldwell v. Griffin	2.5	(RCH)
10/3/10	Review file, including Petition, response and correspondences in File and take notes re: PBOE v. Riehman	2.75	(MM)
10/3/10	Researched Title 59 Defenses re: Lesser v. PBOE	2.5	(RCH)
10/4/10	Meeting with Robert Bloom regarding e-mail issues related to mold investigation	.75	(RLH)
10/4/10	Spoke with Alva Mather regarding adjournment of Alemar v. PBOE	0.10	(KM)
10/4/10	Spoke with Gloradine Gause from PBOE regarding adjournment of Alemar v. PBOE	0.10	(KM)
10/4/10	Drafted Answer and Separate Defenses re: Lesser v. PBOE	2.75	(RCH)
10/5/10	Prepared a Certification in Response to Notice of Motion to Suppress Answer and Strike Defenses of Defendant due to Superintendent's Failure to Certify Interrogatories	1.50	(KM)
10/5/10	Prepared a letter to Elisha Thompkins regarding Alemar v. PBOE trial	0.60	(KM)
10/5/10	Re-reviewed the hourly invoice of Alemar in preparation for trial scheduled 10/7/10	0.50	(KM)
10/5/10	Reviewed trial strategy and prepared questions for cross	1.00	(KM)

	Examination of Martin Friedman with the assistance of Kyana Woolridge		
10/5/10	Re-reviewed the complaint in preparation for Alemar v. PBOE trial scheduled for 10/7/10	1.25	(KM)
10/5/10	Re-reviewed Plaintiff's answers to Defendant's interrogatories in preparation for Alemar v. PBOE trial scheduled for 10/7/10	1.75	(KM)
10/5/10	Prepared exhibits for Alemar v. PBOE trial	1.00	(KM)
10/5/10	Revised the cross examination questions of Martin Friedman	2.00	(KM)
10/5/10	Begin drafting interrogatory demands and production of Document requests, including modifying instructions And definitions re: PBOE v. Riehman	4.0	(MM)
10/5/10	Reviewed dep summary of B. Mora re: Mora v. PBOE	1.0	(RCH)
10/6/10	Prepared a letter to Elisha Thompkins & Robert Bloom regarding adjournment of Alemar v. PBOE trial	0.25	(KM)
10/6/10	Prepared an email to Gloradine Gause inquiring into whether has been able to contact Dennis Mulvihill regarding Alemar	0.10	(KM)
10/7/10	Participated in conference call in Alemar v. PBOE	0.50	(KM)
10/7/10	Spoke with Elisha Thompkins regarding Alemar v. PBOE	0.25	(KM)
10/8/10	Prepared a letter to Arthur Murray requesting that he accept the uncertified interrogatory answers as if duly certified in Ruffin v. PBOE	0.15	(KM)
10/8/10	Board Meeting	3.50	(RLH)
10/8/10	Reviewed the email forwarded from Elisha Thompkins regarding Alemar v. PBOE	0.30	(KM)
10/9/10	Continue drafting interrogatory demands and production of Document requests re: PBOE v. Riehman	3.5	(MM)
10/9/10	Continue drafting interrogatory demands and production of Document requests re: PBOE v. Riehman	2.5	(MM)
10/10/10	Final review of discovery production; proofread/edit Re: PBOE v. Riehman	1.75	(MM)

10/11/10	Initial review of approximately 3,200 unread e-mails contained in "inbox" of Dr. Gloria Grantham's e-mail account for purposes of investigation in addition to taking of notes in response thereto and resetting messages from read to unread status	5.50 (RLH)
10/12/10	Cont'd review of approximately 3,200 unread e-mails contained in "inbox" of Dr. Gloria Grantham's e-mail account for purposes of investigation and taking of notes and resetting messages from read to unread status	4.50 (RLH)
10/12/10	Prepared an amended certification in Ruffin v. PBOE	0.25 (KM)
10/13/10	Telephone conversation with Mrs. Graves regarding Mold investigation	.10 (RLH)
10/13/10	Telephone call with Beth Finkelstein, Esq., regarding Greg Allen settlement check	.05 (RLH)
10/14/10	Cont'd review of approximately 3,200 unread e-mails contained in "inbox" of Dr. Gloria Grantham's e-mail account for purposes of investigation and taking of notes in addition to and resetting messages from read to unread status	5.0 (RLH)
10/15/10	Spoke with Alva Mather regarding Alemar v. PBOE	0.10 (KM)
10/15/10	Reviewed letter from Arthur Murray dated October 12, 2010	0.10 (KM)
10/15/10	Prepared a response to the letter from Arthur Murray dated October 12, 2010	0.15 (KM)
10/15/10	Researched the 2010 revision of Rule 4:18-1 as argued by adversary in support of motion to strike answer and defendant's defenses in Ruffin v. PBOE	0.50 (KM)
10/15/10	Reviewed Respondent's Answer to Petition filed in PBOE v. James Riehman	0.50 (KM)
10/16/10	Cont'd review of approximately 3,200 unread e-mails contained in "inbox" of Dr. Gloria Grantham's e-mail account for purposes of investigation and taking of notes and resetting messages from read to unread status	6.0 (RLH)
10/17/10	Cont'd review of approximately 3,200 unread e-mails contained in "inbox" of Dr. Gloria Grantham's e-mail account for purposes of investigation and taking of notes and resetting messages from	4.25 (RLH)

	read to unread status		
10/18/10	Reviewed email from Alva Mather and contacted Gloradine Gause at PBOE to confirm Dennis Mulvihill and Elisha Thompkins availability for trial date of Alemar v. PBOE	0.10	(KM)
10/18/10	Reviewed email from Ray Hamlin and Pleasantville Police Department report for complaint number 0119-S-2010-000708 and prepared a memorandum to be presented to the Board	1.00	(KM)
10/18/10	Cont'd review of approximately 3,200 unread e-mails contained in "inbox", "outbox" and e-mail folders of Dr. Gloria Grantham's e-mail account for purposes of investigation and taking of notes and resetting messages from read to unread status	3.75	(RLH)
10/20/10	Prepared a letter confirming the adjournment of the October 21, 2010 deposition in Ruffin v. PBOE	0.10	(KM)
10/20/20	Cont'd review of approximately 3,200 unread e-mails contained in "inbox" "outbox" and e-mail folders of Dr. Gloria Grantham's e-mail account for purposes of investigation and taking of notes and resetting messages from read to unread status	6.25	(RLH)
10/20/10	Prepared a letter to Robert Bloom, Elisha Thompkins & Dennis Mulvihill regarding Alemar v. PBOE trial of 11/16/10	0.10	(KM)
10/20/10	Spoke with Allison Theoharis at Atlantic County Superior Court regarding Alemar v. PBOE trial of 11/16/10	0.05	(KM)
10/23/10	Cont'd review of approximately 3,200 unread e-mails contained in "inbox", "outbox" and e-mail folders of Dr. Gloria Grantham's e-mail account for purposes of investigation and taking of notes and resetting messages from read to unread status	3.50	(RLH)
10/25/10	Prepared a letter to the mediator in Ruffin v. PBOE regarding adjournment of the mediation	0.20	(KM)
10/25/10	Spoke with the mediator regarding Ruffin v. PBOE	0.10	(KM)
10/25/10	Completion of review of approximately 3,200 unread e-mails in "inbox", "outbox" and e-mail folders of Dr. Gloria Grantham's e-mail account for purposes of investigation and taking of notes and resetting messages from read to unread status.	4.25	(RLH)
10/25/10	Reviewed documents filed by G. Polis, Esq. Re: Caldwell v. Griffin	3.0	(RCH)

10/26/10	Board Meeting	3.50	(RLH)
10/26/10	Research documents submitted by G. Polis re: Caldwell v. Griffin	2.5	(RCH)
10/27/10	Telephone conversation with Ms. Graves regarding Mold Investigation, Dr. Grantham and other matters	.25	(RLH)
10/27/10	Prepared e-mail to Lisa Stuart-Smith regarding mold investigation	.05	(RLH)
10/27/10	Initial preparation of Mold Investigation Report including comparing information contained in notes with information contained in read and unread e-mails	2.0	(RLH)
10/27/10	Read the decision from Commissioner of Education in Rankins v PBOE	0.25	(KM)
10/27/10	Reviewed file, reviewed documents sent from attorney, reviewed Numerous articles re: Mora v. PBOE	2.40	(KS)
10/28/10	Reviewed interrogatories while preparing for the trial Re: Mora v. PBOE	1.0	(KS)
10/29/10	Reviewed notes, reviewed file, discussion w/intern, reviewed Deposition and notes re: Mora v. PBOE	1.50	(KS)
10/29/10	Reviewed Summary Judgment Brief filed by A. Walko, Esq. Re: Caldwell v. Griffin	2.0	(RCH)
10/30/10	Reviewed letter regarding Addis v. PBOE from Dennis Mulvihill and prepared a response thereto	.75	(RLH)
10/31/10	Reviewed the correspondence from the mediator in Ruffin v. PBOE	0.05	(KM)

10/31/10 Reviewed notes and reviewed documents in the file, including 4.10 (KS)
Various letters sent from both parties, reviewed letters sent
From the Board re: Mora v. PBOE

118.1 hrs. x \$150.00=\$17,715.00

RCH -Ronald C. Hunt
RLH - Raymond L. Hamlin
TR- Terry Ridley
KS- Kenyatta Stewart
MM-Musa Malik
KW-Kyana Woolridge
KM-Kelly McGriff

YEAR : 20102011

REQUISITION

REQUISITION NUMBER : 1895		DATE : DEC-14-2010		PAGE : 1 OF 1		BATCH : MANNINGC	
REQUESTED BY : MANNINGC				CONFIRMATION : NO			
WAITING ON APPROVAL : MANNINGC				PURCHASE ORDER NUMBER :			
VENDOR NUMBER : 17382				SHIP TO NUMBER : S001			
ATTENTION:							
HUNT, HAMLIN & RIDLEY MILITARY PARK BUILDING 60 PARK PLACE, 16TH FLOOR NEWARK, NEW JERSEY 07102				CENTRAL ADMINISTRATION OFFICE 801 MILL ROAD 3RD FLOOR PLEASANTVILLE, NEW JERSEY 08232			
STATE CONTRACT #				ATTENTION :			
LINE	QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT			
1							
2	1	NOVEMBER 2010 PROFESSIONAL LEGAL SERVICES	17,857.880	17,857.88			
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*** DISTRIBUTION ***			TOTAL	17,857.88			

ITEM	ACCOUNT	AMOUNT	ITEM	ACCOUNT	AMOUNT
1	11-000-230-331-0000-351	17,857.88			
DISTRIBUTION TOTAL					17,857.88

APPROVED BY :

DATE :

APPROVED BY :

DATE :



Ronald C. Hunt *
Raymond L. Hamlin
Terry Ridley

Karyatta K. Stewart*
Kyana Woolridge
Kelly T. McGriff

The Law Firm of
HUNT, HAMLIN & RIDLEY

COUNSELORS AT LAW
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NEWARK, NEW JERSEY 07102

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www.HuntHamlinRidley.com



OF COUNSEL
Cedric Ashley*
Cynthia H. Hardaway*
Rasheedah R. Terry*
Vielka Velazquez

*Also admitted in PA
*Also Admitted in NY

December 8, 2010

Dennis Mulvihill, Business Administrator
Pleasantville Board of Education
801 Mill Road
Pleasantville, New Jersey 08232

Re: Bill for Legal Services - November 2010

Dear Mr. Mulvihill:

Enclosed please find our bill in accordance with the Agreement to provide general legal services and litigation services for the Bill for Legal Services. Please remit payment for the amount of \$22,717.88 as soon as possible. If you should have any further questions, please contact me directly.

Very truly yours,

HUNT, HAMLIN & RIDLEY

Raymond L. Hamlin
Raymond L. Hamlin

RLH/sb

Enclosure

28

CERTIFICATION

I hereby certify: (1) the services in this matter of Pleasantville Board of Education, were personally rendered by me or a member of the firm; and (2) the disbursements represent the actual expenses incurred in this matter.

I certify that the foregoing statements made by me are true, I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Raymond L. Hamlin

RAYMOND L. HAMLIN, ESQ., PARTNER

C
0.05 ✓ +
1.5 ✓ +
2 ✓ +
2.75 ✓ +
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PLEASANTVILLE BOARD OF EDUCATION -NOVEMBER 2010
BILL FOR SERVICES RENDERED

<u>DATE</u>	<u>SERVICES RENDERED</u>	<u>HOURS</u>	
11/1/10	Reviewed notice provided in PBOE v. Riehman	0.05	(KM)
11/1/10	Review documents and prepare for trial Re: Mora v. PBOE	1.05	(KS)
11/1/10	Mora v. PBOE-Deposition Summary of Dr. Alston Vol. 1 for trial prep	3.0	(RW)
11/2/10	Mora v. PBOE-Deposition Summary of Dr. Alston Vol. 1 for trial prep	1.5	(RW)
11/2/10	Reviewed documents from the file, prepared for phone conference w/Judge re: Mora v. PBOE	1.25	(KS)
11/2/10	Reviewed deposition of Dr. Alston re: Mora v. PBOE	2.0	(KW)
11/2/10	Reviewed Petitioners Opposition to Respondents Motion for Summary Judgment re: Caldwell v. Griffin	2.75	(RCH)
11/2/10	Reviewed 6/3/10 correspondence from Riehman; draft notes Relative to interrogatory question re: Riehman v. PBOE	1.5	(MM)
11/3/10	Re-reviewed complaint filed in Ruffin v. PBOE	0.50	(KM)
11/3/10	Spoke with Dennis Mulvihill regarding Alemar v. PBOE	0.10	(KM)
11/3/10	Reviewed interrogatory answers of Plaintiff in Ruffin v. PBOE	3.00	(KM)
11/3/10	Reviewed Plaintiff's responses to Defendant's Request for Admissions in Ruffin v. PBOE	0.50	(KM)
11/3/10	Reviewed Plaintiff's responses to Defendant's request for production of documents re: Ruffin v. PBOE	0.25	(KM)
11/4/10	Reviewed Plaintiff's documents provided in response to PBOE's request in Ruffin v. PBOE		
	- memorandum from Alston to Ruffin dated August 19, 2009	0.15	(KM)
	- Administrative evaluation of Ruffin for 08-09 school year	0.25	(KM)
	- Reviewed notice of Administrative leave dated July 17, 2009	0.10	(KM)
	- Reviewed notice of termination dated August 12, 2009	0.05	(KM)
	- Prudential documents regarding State Employees Pension Plan	0.15	(KM)

-	Ruffin's job search list and attachments	1.50	(KM)
-	Reviewed unemployment documents of Ruffin	0.25	(KM)
-	Reviewed Ruffin's contract with PBOE	0.35	(KM)
-	Reviewed correspondence between Ruffin & Dr. Grantham	0.05	(KM)
-	Reviewed August 11, 2009 Board agenda	0.35	(KM)
11/4/10	Reviewed Interrogatory answers of Defendant in Ruffin v. PBOE	0.75	(KM)
11/5/10	Spoke with Arthur Murray's secretary regarding Ruffin v. PBOE	0.10	(KM)
11/5/10	Reviewed personnel file of Ruffin Re: Ruffin v. PBOE	1.50	(KM)
11/5/10	Began preparing deposition questions for James Ruffin Re: Ruffin v. PBOE	1.75	(KM)
11/5/10	Telephone conference regarding Grantham v. PBOE	.10	(RLH)
11/5/10	Mora v. PBOE-Deposition Summary of Dr. Alston Vol. 1 for trial prep.	.5	(RW)
11/6/10	Continued preparing deposition questions for James Ruffin Re: Ruffin v. PBOE	1.75	(KM)
11/7/10	Continued preparing deposition questions for James Ruffin Re: Ruffin v. PBOE	3.75	(KM)
11/7/10	Reviewed FMLA statute regarding complaints alleged in Ruffin v. PBOE	0.25	(KM)
11/7/10	Researched the standard for Summary Judgment and response To Petitioner's Argument re: Caldwell v. Griffin	2.0	(KW)
11/8/10	Prepared a letter to PBOE requesting the personnel file of Lomniyell Sykes regarding the matter of Ruffin v. PBOE	0.10	(KM)
11/8/10	Read the May 26, 2009 Board meeting minutes in preparation for deposition of Plaintiff in Ruffin v. PBOE	0.75	(KM)
11/8/10	Read the August 11, 2009 Board meeting minutes in preparation for deposition of Plaintiff in Ruffin v. PBOE	1.00	(KM)
11/8/10	Revised the deposition questions prepared in Ruffin v. PBOE	3.00	(KM)
11/8/10	Prepared a letter to the mediator in Ruffin v. PBOE	0.10	(KM)

11/8/10	Continued preparation of Mold Investigation Report including comparing information contained in notes with information contained in unread e-mails	2.50	(RLH)
11/8/10	Finalize PBOE v. Riehlman discovery demand	1.0	(MM)
11/8/10	Mora v. PBOE-Deposition Summary of Dr. Alston Vol. 2 for trial prep	1.5	(RW)
11/9/10	Reviewed proposed Agenda for Board Meeting	1.0	(RLH)
11/9/10	Board Meeting	2.50	(RLH)
11/9/10	Drafted Respondents Reply brief to Petitioners Opposition Re: Caldwell v. Griffin	1.0	(RCH)
11/10/10	Continued preparation of Mold Investigation Report including comparing information contained in notes with information contained in unread e-mails	2.0	(RLH)
11/10/10	Mora v. PBOE-Deposition Summary of Dr. Alston Vol. 2 for trial prep	1.25	(RW)
11/10/10	Reviewed Indemnification Agreement provided by Elisha Thompkins regarding the Thanksgiving Day parade	0.25	(KM)
11/10/10	Review and Read of Commissioner's decision in case Re: Rankins v. PBOE	.25	(KW)
11/10/10	Conference call w/Petitioner's Attorney regarding Commissioner's decision re: Rankins v. PBOE	.50	(KW)
11/11/10	Reviewed Petitioners Attachments to Opposition to Respondent's Motion for Summary Judgment, brief And transcript of Atlantic City case Re: Marty Small et als. re: Caldwell v. Griffin	6.0	(RCH)
11/11/10	Review documents and took notes, reviewed complaint Filed and request re: Gloria Grantham v. PBOE	1.0	(KS)
11/12/10	Reviewed e-mail message regarding Reading First Grant and reviewed spread sheet	.25	(RLH)
11/12/10	Researched points raised on Attached Brief Re: Caldwell v. Griffin	2.75	(RCH)

11/12/10	Review documents, discussion w/Atty. RLH, review letters sent To the court, from the Plaintiff Atty. re: Mora v. PBOE	.50	(RCH)
11/13/10	Drafted notes in preparation of Summary Judgment Motion Re: Caldwell v. Griffin	2.75	(RCH)
11/13/10	Review file, continue draft of answers to interrogatories, review RLH notes, compare answer to petition, check review law On reasons for violation re: Gloria Grantham v. PBOE	1.50	(KS)
11/15/10	Continued preparation of Mold Investigation Report including comparing information contained in notes with information contained in unread e-mails and gathering of documents in support thereof	4.50	(RLH)
11/15/10	Reviewed notes for Summary Judgment Argument Re: Caldwell v. Griffin	1.50	(RLH)
11/15/10	Reviewed Unfair Labor Practice Complaint re: Smith v. PBOE	.75	(RCH)
11/15/10	Discussion w/Ms. Graves, review questions Re: Gloria Grantham v. PBOE	.10	(KS)
11/15/10	Discussion w/RLH, review file, review questions to Interrogatories, continue draft of answers re: Grantham v. PBOE	2.0	(KS)
11/15/10	Review question and prepare answer to interrogatories Re: Gloria Grantham v. PBOE	2.10	(KS)
11/16/10	Completed final preparation of Mold Investigation Report including comparing information contained in notes with information contained in unread e-mails, proofreading and gathering of documents contained therein	6.0	(RLH)
11/16/10	Review file, discussion w/Atty. RLH, discussion w/Atty. KW, Discussion w/Atty. TR, Continue answers to interrogatories Re: Gloria Grantham v. PBOE	3.15	(KS)
11/16/10	Review letters from the Atty. and review documents in case Re: Mora v. PBOE	2.0	(KS)
11/16/10	Board Meeting	2.25	(RLH)
11/16/10	Spoke with Elisha Thompkins regarding Alemar v. PBOE	0.15	(KM)
11/16/10	Spoke with Elisha Thompkins regarding Alemar v. PBOE	0.15	(KM)

11/16/10	Researched issues raised by Unfair Labor Practice Complaint Re: Smith v. PBOE	2.50	(RCH)
11/17/10	Telephone conversation with Mrs. Graves regarding issues raised at Board Meeting	.25	(RLH)
11/17/10	Oral Argument on Summary Judgment before Hon. Valerie Armstrong, A.J.S.C. re: Caldwell v. Griffin	2.0	(RCH)
11/17/10	Drafted Answer and Separate Defenses re: Caldwell v. Griffin	2.0	(RCH)
11/18/10	Initial preparation of proposed tenure charges regarding Dr. Grantham	2.0	(RLH)
11/18/10	Reviewed OPRA request of Chris Ramirez and spoke with Ray Hamlin about same request	0.15	(KM)
11/18/10	Researched OPRA statute to determine what documents, if any, should be disclosed pursuant to the request of Chris Ramirez	1.75	(KM)
11/18/10	Continued to prep answers to interrogatory questions sent from The Petitioner's Atty., looked on PBOE website for specific Information re: Gloria Grantham v. PBOE	2.10	(KS)
11/18/10	Review questions and continue answers to interrogatories, Review RLH notes in the file, continued to review request Made by the adversary re: Gloria Grantham v. PBOE	1.45	(KS)
11/19/10	Continued researching the OPRA statute and case law to determine what documents, if any, should be disclosed pursuant to the request of Chris Ramirez	0.25	(KM)
11/19/10	Continued answering request for interrogatories sent from Attorney office, continue with the finding the appropriate Objections for the specific request re: Gloria Grantham v. PBOE	2.20	(KS)
11/20/10	Continued researching the OPRA statute and case law to determine what documents, if any, should be disclosed pursuant to the request of Chris Ramirez	1.00	(KM)
11/20/10	Review the multiple documents attached to the file, review the Testimony of Ms. Graves, review letters sent from Dr. Loggi Re: Mora v. PBOE	1.50	(KS)
11/21/10	Review of Summary Judgment motion re: Mora v. PBOE	1.0	(KS)

11/22/10	Continued researching the OPRA statute and case law to determine what documents, if any, should be disclosed pursuant to the request of Chris Ramirez	2.50	(KM)
11/22/10	Prepared Audit Report information regarding litigation	.50	(RLH)
11/22/10	Continued preparation of proposed tenure charges for Dr. Grantham	3.25	(RLH)
11/22/10	Initial review of memo regarding information related to Press of Atlantic City OPRA request	1.25	(RLH)
11/22/10	Review deposition of Marvin Royal re: Mora v. PBOE	1.40	(RCH)
11/23/10	Review of e-mail messages in response to OPRA request to prevent disclosure of personnel, attorney client privilege communications and student information	3.25	(RLH)
11/23/10	Reviewed agenda for Board Meeting	1.0	(RLH)
11/23/10	Board Meeting	2.75	(RLH)
11/23/10	Prepared a Memorandum to Ray Hamlin regarding what documents should be disclosed pursuant to the OPRA request of Chris Ramirez	2.00	(KM)
11/23/10	Mora v. PBOE-Deposition Summary of Dr. Alston Vol. 2 for trial prep	1.0	(RW)
11/24/10	Mora v. PBOE-Deposition Summary of Dr. Alston Vol. 3 for trial prep	2.25	(RW)
11/24/10	Prepared response related to OPRA request and compiled information	2.50	(RLH)
11/24/10	Review of discovery production re: Grantham v. PBOE suspension	1.0	(MM)
11/26/10	Continued preparation of tenure charges for Dr. Grantham	1.25	(RLH)
11/26/10	Review documents: review the deposition of the state monitor, Review specific objections and note the specific claims made By Atty. RLH, focus on the documents attached and their Relevance re: Mora v. PBOE	2.40	(KS)
11/27/10	Reviewed deposition summary of Dr. Alston Vol. I	2.0	(KW)

Re: Mora v. PBOE

11/27/10	Review documents, review articles and other documents in Reference to the case, review Ms. Jackson's deposition, Look for specific information pertaining to her feelings Of Mora qualification re: Mora v. PBOE	3.20	(KS)
11/28/10	Reviewed deposition summary of Dr. Alston Vol. II Re: Mora v. PBOE	2.0	(KW)
11/29/10	Continued preparation of tenure charges for Dr. Grantham	2.0	(RLH)
11/29/10	Reviewed e-mail message regarding BEOC complaint	.05	(RLH)
11/29/10	Mora v. PBOE-Deposition Summary of Dr. Alston Vol. 3 for trial prep	2.0	(RW)
11/30/10	Began preparing a Motion for Reconsideration in Ruffin v. PBOE	1.25	(KM)

Reimbursements

Document Technology re: Pleasantville Investigation Report \$120.38

150.65 hrs. x \$150.00+ reimbursement (\$120.38)=\$22,717.88

RCH - Ronald C. Hunt
RLH - Raymond L. Hamlin
TR- Terry Ridley
KS- Kenyatta Stewart
MM-Musa Malik
KW-Kyana Woolridge
KM-Kelly McGriff



Document Technologies, Inc.

60 Park Place
Lower Level
Newark, NJ 07102
Phone : 973-622-6111
Fax : 973-622-6333
Fed. ID No. : 58-2413793

INVOICE

Invoice Number: 558507

Invoice Date: 11/30/10

Bill To:
Hunt Hamlin & Ridley
60 Park Place
18th Floor
Newark, NJ 07102
Stephanie Ollos

Ship To:
Hunt Hamlin & Ridley
60 Park Place
18th Floor
Newark, NJ 07102

Customer ID 24175
Terms Net 15 Days
SalesPerson NEW CPH
SalesPerson 2
Cust. P.O.

Job No. 11-12407
ESI Project No. 50
Client / Matter No. PBOE Mold Contamination Report

Quantity	Description	Unit Price	Total Price
800	Litigation Copies B/W 8.5x11	0.10	80.00
11	Velo Bind	2.50	27.50
20	Cardstock	0.25	5.00

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Ronald C. Hunt*
Raymond L. Hamlin
Terry Ridley

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Kyana Woolridge
Kelly T. McGriff

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HUNT, HAMLIN & RIDLEY

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OF COUNSEL
Cedric Ashley*
Cynthia H. Hardaway*
Rasheedah B. Tarry*
Vielka Velazquez

*Also admitted in PA
*Also Admitted in NY

January 18, 2011

Dennis Mulvihill, Business Administrator
Pleasantville Board of Education
801 Mill Road
Pleasantville, New Jersey 08232

Re: Bill for Legal Services -- December 2010

Dear Mr. Mulvihill:

Enclosed please find our bill in accordance with the Agreement to provide general legal services and litigation services for the Bill for Legal Services. Please remit payment for the amount of \$12,834.00 as soon as possible. If you should have any further questions, please contact me directly.

Very truly yours,

HUNT, HAMLIN & RIDLEY

Raymond L. Hamlin
Raymond L. Hamlin

RLH/sb

Enclosure

CERTIFICATION

I hereby certify: (1) the services in this matter of Pleasantville Board of Education, were personally rendered by me or a member of the firm; and (2) the disbursements represent the actual expenses incurred in this matter.

I certify that the foregoing statements made by me are true, I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Raymond L. Hamlin

RAYMOND L. HAMLIN, ESQ., PARTNER

PLEASANTVILLE BOARD OF EDUCATION - DECEMBER 2010
BILL FOR SERVICES RENDERED

<u>DATE</u>	<u>SERVICES RENDERED</u>	<u>HOURS</u>	
12/1/10	Reviewed the Memorandum sent from Dennis Mulvihill regarding the repair & maintenance buses & district vehicles bid	0.50	(KM)
12/1/10	Researched whether PBOE could reject a bid that did not comply with the requirements as set forth in the bid although the bid contained the lowest price of all bids received and prepared a Memorandum	1.35	(KM)
12/1/10	Prepared a letter to Dennis Mulvihill regarding the memorandum prepared regarding the maintenance bids	0.10	(KM)
12/1/10	Rankins v. PBOE- Notice of Appeal & Case Information Statement	4.5	(KW)
12/1/10	Assisted Kyana Woolridge in preparing her Case Information Statement regarding Rankins v. PBOE	0.65	(KM)
12/1/10	Reviewed e-mail regarding reservation of rights letters	.50	(RLH)
12/2/10	Continued preparation of proposed tenure charges for Dr. Grantham	2.75	(RLH)
12/2/10	Completed preparing a Motion for Reconsideration in Ruffin v. PBOE	1.00	(KM)
12/2/10	Review Dr. Alston's deposition and his interview package sent From his office, review list and different candidates and compare Job descriptions to what Mora had in his resume, review Mora Job information/history re: Mora v. PBOE	2.45	(KS)
12/3/10	Continued preparation of proposed tenure charges for Dr. Grantham including review of file documents	3.0	(RLH)
12/6/10	Continued preparation of proposed tenure charges for Dr. Grantham and proofreading of same	3.50	(RLH)
12/6/10	Prepared e-mail of instructions for purposes of tenure charges involving Dr. Grantham	.10	(RLH)
12/6/10	Review documents sent from the Board office	1.0	(KS)

re: Grantham v. PBOE

12/7/10	Prepared an email for Dennis Mulvihill regarding Ruffin v. PBOE	0.10	(KM)
12/7/10	Revised the Motion for Reconsideration in Ruffin v. PBOE	0.50	(KM)
12/7/10	Review documents in file, review interrogatory request, review Notes and prepare reply to request, review notes in file Re: Grantham v. PBOE	1.0	(KS)
12/7/10	Reviewed e-mail documentation regarding Dr. Grantham tenure charge information	.50	(RLH)
12/7/10	Telephone conference with court re: PBOE v. Riehman	.25	(RLH)
12/8/10	Prepared letter to Dr. Grantham regarding proposed charges	.05	(RLH)
12/8/10	Spoke with Michael Shea at Relcomm and Elisha Thompkins regarding documents requested by USAC	0.15	(KM)
12/10/10	Prepared a letter to Arthur Murray regarding Defendant's outstanding discovery obligations and rescheduling the deposition of Plaintiff in Ruffin v. PBOE	0.10	(KM)
12/10/10	Began preparing Demand for Answers to Interrogatories to be served upon Defendant in PBOE v. Riehman	0.50	(KM)
12/10/10	Participated in conference call regarding PBOE v. Riehman	0.15	(KM)
12/11/10	Review letters from Atty. RLH to County Superintendent, Review reply back to the Board to follow Atty.'s advice Re: Mora v. PBOE	.45	(KS)
12/12/10	Reviewed documentation re: Sandra Smith v. PBOE	1.0	(KS)
12/13/10	Emailed Dennis Mulvihill regarding Alemar v. PBOE	0.10	(KM)
12/13/10	Reviewed information regarding OPRA request from attorney representing Dr. Grantham	.25	(RLH)
12/13/10	Reviewed e-mail from Dr. Bailey regarding parent requesting information regarding mold	.10	(RLH)
12/13/10	Reviewed proposed scheduling Order re: PBOE v. Riehman	.25	(RLH)
12/14/10	Reviewed proposed letter from Andrew Babiak, Esq., regarding	.06	(RLH)

settlement involving Dr. Grantham

12/15/10	Revised the direct examination questions of Dennis Mulvihill regarding Alemar v. PBOE trial	1.50	(KM)
12/15/10	Revised the direct examination questions of Elisha Thompson regarding Alemar v. PBOE trial	2.00	(KM)
12/16/10	Met with Dennis Mulvihill in preparation for Alemar v. PBOE trial of December 20, 2010	1.75	(KM)
12/17/10	Spoke with Ron Hunt regarding Alemar v. PBOE trial	0.15	(KM)
12/17/10	Spoke with Mike Shea at Relcomm regarding documents requested by USAC from PBOE regarding e-rate funding	0.15	(KM)
12/17/10	Researched the law on quantum merit in preparation for trial in Alemar v. PBOE	1.00	(KM)
12/17/10	Review notes, review motion and other documents sent from the Attorney requesting that the case be sent to another jurisdiction, Review document sent from Dr. Alston's office, review Dr. Alston's interview list and evaluation of the candidates, Review Dr. Alston's resume re: Mora v. PBOE	2.45	(KS)
12/17/10	Reviewed brief and attachment to Charlotte London Appeal re: London v. PBOE	3.5	(RCH)
12/17/10	Reviewed documentation in response to proposed OPRA request by counsel for Dr. Grantham regarding Mold Investigation	1.50	(RLH)
12/18/10	Prepared, organized and reviewed exhibits for Alemar v. PBOE trial	1.35	(KM)
12/18/10	Reviewed hour log and all corresponding emails; revised cross examination of Martin Friedman in Alemar v. PBOE	3.00	(KM)
12/19/10	Prepared cross examination questions & corresponding exhibits to be used for Margo Hurwitz in Alemar v. PBOE	3.25	(KM)
12/19/10	Reviewed/research cases, rules, racial claims cited by Petitioners London re: London v. PBOE	3.0	(RCH)
12/19/10	Reviewed notice from OAL re: Smith v. PBOE	.50	(RCH)
12/20/10	Attended trial in Alemar v. PBOE	7.50	(KM)

12/20/10	Reviewed deposition transcript and Answer to interrogatories Re: Mora v. PBOE	4.5	(RCH)
12/21/10	Spoke with Linda Gregier at USAC regarding documents requested by USAC from PBOE regarding e-rate funding	0.15	(KM)
12/21/10	Board Meeting	2.75	(RLH)
12/23/10	Review file, review Dr. Alston's list of interviews, review Deposition of Ms. Graves to review her opinion on if Mora Was qualified and others feeling of qualification, review Documents sent from the County Superintendent's office	1.60	(KS)
12/26/10	Reviewed my notes from the trial in preparation for written summation in Alemar v. PBOE	0.75	(KM)
12/27/10	Began preparing written summation in Alemar v. PBOE	2.50	(KM)
12/27/10	Review interrogatories to be sent to the petitioner's attorney, Review documents sent from the PBOE, review board members Oath documents, connect/compare documents to what is Requested by the Plaintiff, review Superintendent documents Re: Grantham v. PBOE	3.50	(KS)
12/27/10	Review documents sent from the board's office and continue To answer questions, interrogatories re: Grantham v. PBOE	1.25	(KS)
12/28/10	Completed preparing & revised written summation in Alemar v. PBOE	1.50	(KM)
12/28/10	Reviewed response from Dr. Grantham to the proposed charges	1.50	(RLH)
12/29/10	Reviewed notice from Department of Education Re: TW o/b/o MW v. PBOE	.50	(RCH)
12/29/10	Reviewed additional submission by Petition	3.0	(RCH)
12/30/10	Review documents, review PBOE documents and review Allegations against Dr. Grantham documents, review Superintendent's job descriptions, review board member Documents and swearing in documents Re: Grantham v. PBOE	2.25	(KS)
12/31/10	Reviewed the written summation submitted by Plaintiff in	0.25	(KM)

Aleamar v. PBOE

12/30/10 Telephone conference with Ms. Graves regarding tenure charge .05 (RLH)
process

85.56 hrs. x \$150.00=\$12,834.00

RCH -Ronald C. Hunt
RLH - Raymond L. Hamlin
TR- Terry Ridley
KS- Kenyatta Stewart
MM-Musa Malik
KW-Kyana Woolridge
KM-Kelly McGriff

HUNT HAMLIN & RIDLEY

ADJUSTMENT DECEMBER BILLING	HOURS	HRLY RATE
12/1/2010	4.50	
12/1/2010	0.65	
12/7/2010	0.25	
12/10/2010	0.50	
12/10/2010	0.15	
12/13/2010	0.25	
12/17/2010	3.50	
12/19/2010	3.00	
DEDUCTED HRS	<u>12.80</u>	150.00 1,920.00

REQUISITION

LINE	QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1				
2	1	JANUARY 2011 PROFESSIONAL LEGAL SERVICES	10,155.000	10,155.00
3				
4				
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14				
15				
16				
*** DISTRIBUTION ***			TOTAL	10,155.00

DATE : *

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Ronald C. Hunt*
Raymond L. Hamlin
Terry Ridley

Kenyatta K. Stewart*
Kyana Woolridge

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Rashadiah R. Terry*
Vielka Velazquez

*Also admitted in PA
*Also Admitted in NY

February 11, 2011

Elisha Thompson, Comptroller
Pleasantville Board of Education
801 Mill Road
Pleasantville, New Jersey 08232

Re: Bill for Legal Services - January 2011

Dear Mr. Mulvihill:

Enclosed please find our bill in accordance with the Agreement to provide general legal services and litigation services for the Bill for Legal Services. Please remit payment for the amount of \$10,155.00 as soon as possible. If you should have any further questions, please contact me directly.

Very truly yours,

HUNT, HAMLIN & RIDLEY

Raymond L. Hamlin
Raymond L. Hamlin

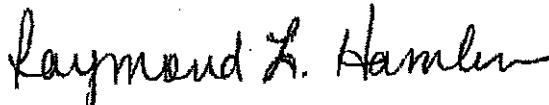
RLH/sb

Enclosure

CERTIFICATION

I hereby certify: (1) the services in this matter of Pleasantville Board of Education, were personally rendered by me or a member of the firm; and (2) the disbursements represent the actual expenses incurred in this matter.

I certify that the foregoing statements made by me are true, I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



RAYMOND L. HAMLIN, ESQ., PARTNER

PLEASANTVILLE BOARD OF EDUCATION - JANUARY 2011
BILL FOR SERVICES RENDERED

<u>DATE</u>	<u>SERVICES RENDERED</u>	<u>HOURS</u>	
1/5/11	Reviewed litigation file PBOE v. Riehman in preparation of filing stipulated facts	3.0	(RCH)
1/6/11	Reviewed e-mail from James Riehman regarding Holcomb v. PBOE and Addis v. PBOE and discussed same with Ronald Hunt	.05 .05	(RLH) (RCH)
1/6/11	Special Board Meeting	1.0	(RLH)
1/7/11	Prepared documentation for purposes of Certification of Determination regarding PBOE v. Grantham tenure charges	2.0	(RLH)
1/10/11	Reviewed letter from Adam Weiss, Esq., regarding Holcomb v. PBOE and Addis v. PBOE and prepared response thereto	.50	(RLH)
1/10/11	Reviewed discovery request re: Ruffin v. PBOE for copy of videotape and prepared e-mail to Dennis Mulvihill for same	.10	(RLH)
1/16/11	Reviewed proposed procedure for assignment of legal matters	1.0	(RLH)
1/18/11	Initial review of proposed Interrogatory Responses re: Grantham v. PBOE, et al., including review of Petition filed by Dr. Grantham regarding her Evaluation	3.0	(RLH)
1/19/11	Reviewed draft of stipulated facts and edited same Re: PBOE v. Riehman	.50	(RCH)
1/20/11	Review file PBOE v. Grantham (tenure matter); begin drafting interrogatories and production of document requests	3.75	(RLH)
1/21/11	Continue drafting Interrogatories and Production of Document Requests PBOE v. Grantham (tenure matter)	2.25	(RLH)
1/21/11	Prepared e-mail to Andrew Babiak, Esq., regarding Ruffin v. PBOE and Dr. Grantham's failure to provide the certifications which were previously provided to her and reviewed response	.05	(RLH)
1/23/11	Initial review of ethics complaint entitled, Grantham v. Graves	2.75	(RLH)

1/24/11	Continued review of complaint regarding Grantham v. Graves including research of ethics standards as set forth in NJAC 6A	2.25	(RLH)
1/24/11	Prepared proposed resolution regarding legal issues	.10	(RLH)
1/24/11	Reviewed and redacted portions of legal bills from July 2010 to December 2010 in response to OPRA Request from Atlantic City Press	3.0	(RCH)
1/24/11	Received and Reviewed Dr. Grantham's Motion to Dismiss in Lieu of Answer re: PBOE v. Grantham	4.0	(TR)
1/25/11	PBOE v. Riehman Stipulation of Facts review, teleconf w/MM re: modification of same	1.75	(RCH)
1/25/11	PBOE v. Riehman Stipulation of Facts modifications	1.0	(RCH)
1/25/11	Continued review of ethics complaint and procedure pursuant to NJAC 6A for filing frivolous complaints as well as the time period within which to file complaints for purposes of separate defenses	2.25	(RLH)
1/25/11	Reviewed proposed policy regulations and made corrections to same	2.0	(RLH)
1/25/11	Board Meeting	3.0	(RLH)
1/26/11	Reviewed Ruffin v. PBOE file for purposes of sending proposed interrogatories and document requests to counsel for Dr. Grantham as a result of the failure of Dr. Grantham to execute same	1.50	(RLH)
1/26/11	Telephone conversation with Mrs. Graves regarding issues related to allegations of ethics complaint	.10	(RLH)
1/26/11	Completed proposed Answer and Separate Defenses re: Grantham v. Graves ethics complaint	4.5	(RLH)
1/28/11	Began research on Summary Judgment Motion Re: PBOE v. Riehman	3.5	(RCH)
1/28/11	Reviewed legal research re: PBOE v. Dr. Grantham in response to Motion to Dismiss in Lieu of an Answer which was filed by by Dr. Grantham	6.0	(TR)
1/29/11	Continued review and research re: PBOE v. Dr. Grantham in response to Motion to Dismiss in Lieu of Answer filed by	4.0	(TR)

Dr. Grantham

1/30/11	Legal research re: unilateral early termination of CSA contract (PBOE)	4.0	(RLH)
1/31/11	Legal research re: unilateral early termination of CSA contract; draft memorandum; proofread/edit (2x); finalize document	4.75	(RLH)

67.7 hrs. x \$150.00=\$10,155.00

RCH -Ronald C. Hunt
RLH - Raymond L. Hamlin
TR- Terry Ridley

REQUISITION

240

***** DISTRIBUTION *****

DISTRIBUTION TOTAL	10,758.00
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DATE :

DATE : _____

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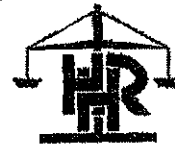
Ronald C. Hunt *
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OF COUNSEL
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Vielka Velazquez

*Also admitted in PA
*Also Admitted in NY

March 17, 2011

Elisha Thompson, Comptroller
Pleasantville Board of Education
801 Mill Road
Pleasantville, New Jersey 08232

Re: Bill for Legal Services - February 2011

Dear Mr. Mulvihill:

Enclosed please find our bill in accordance with the Agreement to provide general legal services and litigation services for the Bill for Legal Services. Please remit payment for the amount of \$10,758.00 as soon as possible. If you should have any further questions, please contact me directly.

Very truly yours,

HUNT, HAMLIN & RIDLEY

Raymond L. Hamlin
RAYMOND L. HAMLIN

RLH/sb

Enclosure

11

CERTIFICATION

I hereby certify: (1) the services in this matter of Pleasantville Board of Education, were personally rendered by me or a member of the firm; and (2) the disbursements represent the actual expenses incurred in this matter.

I certify that the foregoing statements made by me are true, I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


RAYMOND L. HAMLIN

PLEASANTVILLE BOARD OF EDUCATION - JANUARY 2011
BILL FOR SERVICES RENDERED

<u>DATE</u>	<u>SERVICES RENDERED</u>	<u>HOURS</u>	
2/1/11	Proposed Answer and Separate Defenses re: Grantham v. Graves ethics complaint, discussed info contained therein and e-mailed Certification for Mrs. Graves to execute	.50	(RLH)
2/1/11	Reviewed notice from the Department of Education regarding PBOE v. Grantham - Tenure Hearing case	.05	(RLH)
2/2/11	Provided information regarding Ruffin v. PBOE including interrogatories and document requests to Andrew Babiak, Esq.	.50	(RLH)
2/2/11	Reviewed correspondence from Andrew Babiak, Esq. re: PBOE v. Grantham (Tenure case)	.05	(RLH)
2/5/11	Reviewed file and documents attached, reviewed Petition and the Request made from the adversary, prepared Answer and Reviewed documents re: Grantham v. PBOE	1.0	(KS)
2/7/11	Research for Summary Judgment motion Re: Richman v. PBOE	3.0	(RCH)
2/7/11	Reviewed correspondence from Arthur Murray, Esq., re: Ruffin v. PBOE	.25	(RLH)
2/8/11	Research re: Sandra Smith v. PBOE	2.5	(RCH)
2/8/11	Telephone Conf. w/J. re: Sandra Smith v. PBOE	.50	(RCH)
2/9/11	Rankins v. PBOE- review of Appellant's concise statement of facts	1.5	(KW)
2/9/11	Rankins v. PBOE-draft of letter to Appellate Division & relative parties	.25	(KW)
2/9/11	Telephone Conf. w/Dennis Mulvihill	.25	(RCH)
2/10/11	Continued research/draft for Summary Judgment Re: Richman v. PBOE	4.5	(RCH)

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2/10/11	Reviewed proposed Subpoenas re: State v. McClellan and prepared e-mail in response	.10	(RLH)
2/10/11	Telephone conference re: PBOE v. Graves several calls were placed but no Judge was available	.10	(RLH)
2/11/11	Reviewed letters in the file and reviewed trial documents Re: Mora v. PBOE	1.55	(KS)
2/11/11	Reviewed deposition transcript of Dr. Alston, reviewed Dr. Alston's interview list re: Mora v. PBOE	1.20	(KS)
2/11/11	Final draft of Summary Judgment Motion re: Riehman v. PBOE	1.5	(RCH)
2/13/11	Reviewed correspondence re: Grantham v. Graves	.25	(RLH)
2/13/11	Reviewed correspondence re: Palmer v. PBOE and thereafter prepared e-mail	.10	(RLH)
2/13/11	Reviewed notice re: PBOE v. Grantham conference	.05	(RLH)
2/13/11	Reviewed correspondence from Andrew Babiak re: Dr. Grantham	.25	(RLH)
2/13/11	Reviewed Order re: Alemar v. PBOE and prepared PDF for Business Office	.05	(RLH)
2/14/11	Additional review of correspondence re: Palmer v. PBOE and thereafter prepared e-mail	.05	(RLH)
2/14/11	Rankins v. PBOE- review of Monitors statement of facts	.50	(KW)
2/15/11	Rankins v. PBOE- review of State's statement of facts	.25	(KW)
2/16/11	Rankins v. PBOE- review of file preparation for conference call w/Judge Wells from Appellate Division	1.5	(KW)
2/16/11	Rankins v. PBOE- Appellate Division pre-argument conference w/Judge Wells	.50	(KW)
2/16/11	Conference re: Rankins v. PBOE	.06 .06	(RLH) (KW)
2/17/11	Reviewed correspondence from Andrew Babiak re: Grantham v. PBOE (Evaluation Petition)	.25	(RLH)

2/17/11	Initial review of proposed Answers to Interrogatories re: Grantham v. PBOE (Evaluation Petition)	2.25	(RLH)
2/18/11	Completed PBOE Legal Case list	1.0	(RLH)
2/18/11	Continued review of proposed Answers to Interrogatories re: Grantham v. PBOE (Evaluation Petition)	3.0	(RLH)
2/19/11	Initial review of Respondent's Reply Memorandum to Petitioner's Letter Brief in Opposition to Motion to Dismiss re: PBOE v. Grantham (Tenure Case), including Research of legal authority	1.5	(RLH)
2/19/11	Research on Caldwell et als. v. Graves, et als.- Appellate Brief	2.75	(RCH)
2/19/11	Initial review of Respondent's Reply Memorandum to Petitioner's Letter Brief in Opposition to Motion to Dismiss re: PBOE v. Grantham (Tenure Case), including Research of legal authority	1.5	(RLH)
2/20/11	Reviewed correspondence from Andrew Babiak, Esq., Re: Dr. Grantham	.25	(RLH)
2/21/11	Reviewed transcripts in preparation for trial Re: Mora v. PBOE	4.5	(RCH)
2/22/11	Reviewed correspondence from Andrew Babiak, Esq., re: PBOE v. Grantham (Tenure Case)	.25	(RLH)
2/23/11	Reviewed notes, reviewed documents and compared documents And letters in the file, reviewed documents sent from the Board Of Education, Continued preparing answers to Attorney's Request For documents and Interrogatories re: Grantham v. PBOE	2.0	(KS)
2/24/11	Conducted several discussions w/Dr. Bailey, Dennis Mulvihill And Loletta from the PBOE, reviewed documents sent from the Board, compared to request made and documents in the original File, continued preparing Answer, Spoke with RLH concerning Previous discussions w/Board re: Grantham v. IBOE	8.0	(KS)
2/25/11	Research reverse discrimination standard, civil rights claims Re: Mora v. PBOE	2.75	(RCH)
2/25/11	Discussion w/Atty. RLH, reviewed documents sent from the PBOE, continued preparation for Answer to Attorney's	4.0	(KS)

Answer for Interrogatories and Document Request
Re: Grantham v. PBOE

2/26/11	Reviewed answers to interrogatories and other documents Re: Mora v. PBOE	2.0	(RCH)
2/26/11	Discussion w/Ms. Graves and RLH, reviewed personnel file and Superintendent's Contract, Reviewed Superintendent's Responsibilities, Prepared documents to be sent to Atty. Office Re: Grantham v. PBOE	3.0	(KS)
2/27/11	Prepared documents to be sent to the Superintendent's Attorney, Reviewed personnel file and finalized response to the Attorney's Request re: Grantham v. PBOE	.55	(KS)
2/28/11	Read documents sent from the Board of Education office, Reviewed notes and letters sent from the Board in reference To discovery, reviewed notes and request, reviewed e-mail Sent from Association, Had discussion w/Atty. RLH, Reviewed Superintendent's personnel file Re: Grantham v. PBOE	6.0	(KS)
2/28/11	Received and reviewed Responses to Request for Production of Document submitted by Andrew Babiak, Esq., re: Grantham v. PBOE (Evaluation Petition)	3.25	(RLH)

71.72 hrs. x \$150.00=\$10,758.00

RCH -Ronald C. Hunt
RLH - Raymond L. Hamlin
TR- Terry Ridley
KS- Kenyatta Stewart
MM-Musa Malik
KW-Kyana Woolridge
RW-Rayna White

Bunch, Denita

From: Mulvihill, Dennis
Sent: Monday, March 21, 2011 12:55 PM
To: Bunch, Denita
Subject: FW: Ruffin v. Pleasantville 09 EO 03285 D
Attachments: IR110000.tif

Please download and give to Daile to prepare for payment

-----Original Message-----

From: Deborah Strasser [<mailto:DStrasser@njsbaig.org>]
Sent: Monday, March 21, 2011 11:00 AM
To: Mulvihill, Dennis
Cc: Surinder K. Oberoi
Subject: Ruffin v. Pleasantville 09 EO 03285 D

Drawer: CLMS
FileNo: 09EO03285D

Good Morning Mr. Mulvihill. Attached find the legal bill from Methfessel & Werbel. Please place in line for payment. Deb Strasser Deborah A. Strasser

Liability Claim Examiner

New Jersey School Board Association Insurance Grp

450 Veterans Drive

Burlington, New Jersey 08016

1-609-386-6060 x3039

1-888-657-6651

Fax : 1-609-386-8877

dstrasser@njsbaig.org

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Hunt, Hamlin & Ridley
Military Park Building
60 Park Place, 16th Floor
Newark, NJ 07102
(973) 242-4471
(973) 242-8295 (fax)
www.hunthamlinridley.com

Fax Cover Sheet

Name: Elisha Thompkins, Comptroller

Organization: Pleasantville Board of Education

Fax: (609) 677-8119

Phone:

From: Ronald C. Hunt

Date: June 7, 2011

Subject: Bill for Legal Services-May 2011

Pages: 5 (Including Cover)

☐

Urgent

☐

Reply ASAP

☐

Please
Comment



☐

For Your Records

Comments:

Hard Copy x will will not be sent by Regular Mail.

If you do not receive all pages, please call Kathy at 973-242-4471.

 
Confidentiality Note: The documents accompanying this facsimile transmission are intended only for the use of the individual or entity named on this transmission sheet and may contain information that is privileged and confidential. If you are not the intended recipient, you are hereby notified that any disclosure, copying or dissemination of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone. Thank you.



Ronald C. Hunt *
Raymond L. Hamlin
Terry Ridley

Kanyata K. Stewart
Kyana Workridge
Navarro W. Gray

The Law Firm of
HUNT, HAMLIN & RIDLEY

COUNSELORS AT LAW
MILITARY PARK BUILDING
60 PARK PLACE, 16TH FLOOR
NEWARK, NEW JERSEY 07102

TEL: (973) 242-4471
TELEFAX: (973) 242-8295
www.HuntHamlinRidley.com



OF COUNSEL
Cedric Ashley
Cynthia H. Hardaway
Richard H. Terry
Vivika Velazquez

*Also admitted in PA
*Also Admitted in NY

June 7, 2011

Dennis Mulvihill, Business Administrator
Pleasantville Board of Education
801 Mill Road
Pleasantville, New Jersey 08232

Re: Bill for Legal Services-May 2011

Dear Mr. Mulvihill:

Enclosed please find our bill in accordance with the agreement to provide general legal services and litigation services. Please remit payment for the amount of \$6,641.89 as soon as possible. If you should have any further questions, please contact me directly.

Very truly yours,

HUNT, HAMLIN & RIDLEY

Ronald C. Hunt
Ronald C. Hunt, Esq.

CERTIFICATION

I hereby certify: (1) the services in this matter of Pleasantville Board of Education, were personally rendered by me or a member of the firm; and (2) the disbursements represent the actual expenses incurred in this matter.

I certify that the foregoing statements made by me are true, I am aware that if any of this foregoing statements made by me are willfully false, I am subject to punishment.



Ronald C. Hunt, Esq. Partner

Pleasantville Board of Education Billing

5/3/11	Reviewed initial probable cause determination re: Grantham v. Graves (Ethics Case)	1.0	(RLH)
5/3/11	Reviewed letter regarding proposed deposition re: Ruffin v. PBOE	.05	(RLH)
5/4/11	Received e-mail regarding proposed Statement of Reasons for employees	.50	(RLH)
5/4/11	Deposition of William Marsh regarding Barksdale v. Marina Del Rey Associates	2.0	(RLH)
5/10/11	Prepared necessary Statement of Reasons letters in conjunction with information received from Dr. Bailey for non-renewed employees	2.25	(RLH)
5/14/11	Reviewed letter re: Grantham v. Graves (Ethics Case)	.05	(RLH)
5/16/11	Rankins v PBOE- review and read of State Monitor's Opposition brief to the Appellant Division	2.25	(KS)
5/16/11	Rankins v PBOE-conference call with Petitioner's attorney	.25	(KS)
5/16/11	Rankins v. PBOE- review & read of State Monitor's Opposition brief to the Appellant Division	2.25	(KW) Duplicated
5/16/11	Rankins v. PBOE- conference call w/ Petitioner's attorney	.25	(KW) Pull
5/17/11	Rankins v PBOE- reviewed transcripts of hearings below & drafted Reply to Monitor's Counter-Statement of Facts	6.5	(KS)
5/17/11	Rankins v PBOE- drafted Point I of Reply Brief Opposition	2.5	(KS)
5/18/11	Mora v PBOE- Review Ms. Jackson and Ms. Graves deposition transcripts. Review plaintiff's complaint and focus on the allegation within the complaint. Review plaintiff's evaluation sent by the plaintiff's attorney. Compare complaints made by the plaintiff and the doctors reasoning for his injuries	5.0	(KW)
5/20/11	PBOE- Memo & research for Superintendent regarding Graduation ceremony & participation of students from another School.	2.0	(KS)
5/20/11	Mora v. PBOE- Prepare for trial. Review motions filed by both		

	parties. Review plaintiff's demand on the case. Review various letters requesting discovery in the case.	1.50	(KW)
5/20/11	Reviewed graduation memo for completeness	.25	(RLH)
5/20/11	Telephone conversations with court and Sidney Sayovitz, Esq. re: PBOE v. Riehman	.10	(RLH)
5/17/11	Rankins v. PBOE- reviewed transcripts of hearings below & drafted Reply to Monitor's Counter-Statement of Facts	6.5	(KW)
5/17/11	Rankins v. PBOE- drafted Point I of Reply Brief in response to Monitor's Opposition brief	2.5	(KW)
5/20/11	Pleasantville Board of Education-Memo & research for Superintendent regarding Graduation ceremony & participation of students from another school	2.0	(KW)
5/24/11	Reviewed subpoena in response to deposition in the Barkdale v. Marina Del Rey, et al.	.25	(RLH)
5/24/11	Prepared resolution for withdrawal of Petition re: PBOE v. Riehman	.05	(RLH)
5/31/11	Reviewed opinion of Judge Gorman in PBOE v Riehman	.75	(RCH)

Total Hours= 38.25 hours x \$150.00=\$5,737.50

RCH-Ronald C. Hunt
 RLH- Raymond L. Hamlin
 TR- Terry Ridley
 KS-Kenyatta Stewart
 MM-Musa Malik
 KW-Kyana Woolridge
 NG-Navarro Gray

Additional Expenses:

Rosenberg Transcript Re: Ruffin v. Pleasantville BOE

\$904.39

Grand Total: \$6,641.89

Handwritten signature
 6/14/2011



800.88COURT www.RosenbergandAssociates.com

425 Eagle Rock Avenue - Suite 201
Roseland, NJ 07068
973.228.9100 973.228.2634 FAX

250 Park Avenue - 7th Floor
New York, NY 10177
212.688.1936 212.688.1887 FAX

INVOICE

INVOICE NO.	DATE	JOB NUMBER
180865	01/25/2011	01-197525
JOB DATE	ASSIGNED TO	CASE NUMBER
01/05/2011	WASIBE	ATL1467-10
CASE CAPTION		
Ruffin vs. Pleasantville BOE		
TERMS		
Net 30, After 30, Int. at 1.5% per month		

Kelly T. McGriff, Esq.
Hunt Hamlin & Ridley
60 Park Place
16th Floor
Newark, NJ 07102

Original Certified Transcript of:
James J. Ruffin

REPORTER ATTENDANCE
Postage & Handling

157 Pages

761.45
85.00
19.00

TOTAL DUE >>>> 865.45

Transcript, Disk & Manuscript under separate cover.
df

(-) PAYMENTS/CREDITS	0.00	(-) FINANCE CHARGE	38.94	(-) NEW BALANCE	904.39
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TAX ID NO.: 22-2004979

(973) 242-4471 Fax (973) 242-8295

Please detach bottom portion and return with payment.

Kelly T. McGriff, Esq.
Hunt Hamlin & Ridley
60 Park Place
16th Floor
Newark, NJ 07102

Job No. : 01-197525
Case No. : ATL1467-10
Ruffin vs. Pleasantville BOE
Invoice No.: 180865
Date : 01/25/2011
TOTAL DUE : 904.39

Remit To: Rosenberg & Associates, Inc.
Corporate Headquarters
425 Eagle Rock Avenue, Suite 201
Roseland, NJ 07068

PAYMENT WITH CREDIT CARD

Card Holder's Name: _____
VISA/MC/AmExp #: _____
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Exp. Date: _____ Phone #: _____
Cardholder's Signature: _____

96

HUNT HAMLIN & RIDLEY

ADJUSTMENT, MAY BILLING

		HOURS	HRLY RATE	
5/16/2011	KW	2.25		
5/16/2011	KW	0.25		
5/17/2011	KW	6.50		
5/17/2011	KW	2.50		
DEDUCTED HRS		<u>9.25</u>	150.00	1,387.50

ADJUSTMENT PER STATE MONITOR

YEAR : 20102011

REQUISITION

REQUISITION NUMBER : 1576		DATE : NOV-17-2010	PAGE : 1 OF 1	BATCH : MANNINGC
REQUESTED BY : MANNINGC		CONFIRMATION : NO		
WAITING ON APPROVAL : MULVIHILLD		PURCHASE ORDER NUMBER : 11001167		
VENDOR NUMBER : 17382		SHIP TO NUMBER : 8001		
ATTENTION:				
HUNT, HAMLIN & RIDLEY MILITARY PARK BUILDING 60 PARK PLACE, 16TH FLOOR NEWARK, NEW JERSEY 07102		CENTRAL ADMINISTRATION OFFICE 801 MILL ROAD 3RD FLOOR PLEASANTVILLE, NEW JERSEY 08232		
STATE CONTRACT #		ATTENTION :		

LINE	QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1				
2	1	OCTOBER 2010 PROFESSIONAL LEGAL SERVICES	17,715.000	17,715.00
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
*** DISTRIBUTION ***			TOTAL	17,715.00

ITEM	ACCOUNT	AMOUNT	ITEM	ACCOUNT	AMOUNT
1	11-000-230-331-0000-351	17,715.00			
DISTRIBUTION TOTAL					17,715.00

APPROVED BY :

DATE :

APPROVED BY :

DATE :

98



Ronald C. Hunt *
Raymond L. Hamlin
Terry Ridley

Kenyatta K. Stewart*
Kyana Woodridge
Kelly T. McGriff

The Law Firm of
HUNT, HAMLIN & RIDLEY

COUNSELORS AT LAW
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OF COUNSEL
Cedric Ashley*
Cynthia H. Hardaway*
Rashiedah R. Terry*
Vielka Velazquez

*Also admitted in PA
*Also Admitted in NY

November 8, 2010

Dennis Mulvihill, Business Administrator
Pleasantville Board of Education
801 Mill Road
Pleasantville, New Jersey 08232

Re: Bill for Legal Services – October 2010

Dear Mr. Mulvihill:

Enclosed please find our bill in accordance with the Agreement to provide general legal services and litigation services for the Bill for Legal Services. Please remit payment for the amount of \$17,715.00 as soon as possible. If you should have any further questions, please contact me directly.

Very truly yours,

HUNT, HAMLIN & RIDLEY

Raymond L. Hamlin
Raymond L. Hamlin

RLH/sb

Enclosure

CERTIFICATION

I hereby certify: (1) the services in this matter of Pleasantville Board of Education, were personally rendered by me or a member of the firm; and (2) the disbursements represent the actual expenses incurred in this matter.

I certify that the foregoing statements made by me are true, I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Raymond L. Hamlin

RAYMOND L. HAMLIN, ESQ., PARTNER

	parties. Review plaintiff's demand on the case. Review various letters requesting discovery in the case,	1.50	(KW)
5/20/11	Reviewed graduation memo for completeness	.25	(RLH)
5/20/11	Telephone conversations with court and Sidney Sayovitz, Esq. re: PBOE v. Richman	.10	(RLH) ✓
5/17/11	Rankins v. PBOE- reviewed transcripts of hearings below & drafted Reply to Monitor's Counter-Statement of Facts	6.5	(KW) <i>Do Not</i>
5/17/11	Rankins v. PBOE- drafted Point I of Reply Brief in response to Monitor's Opposition brief	2.5	(KW) <i>Do Not</i>
5/20/11	Pleasantville Board of Education-Memo & research for Superintendent regarding Graduation ceremony & participation of students from another school	2.0	(KW)
5/24/11	Reviewed subpoena in response to deposition in the Barksdale v. Marina Del Rey, et al.	.25	(RLH) ✓
5/24/11	Prepared resolution for withdrawal of Petition re: PBOE v. Richman	.05	(RLH) ✓
5/31/11	Reviewed opinion of Judge Gorman in PBOE v Richman	.75	(RCH) ✓

Total Hours= 38.25 hours x \$150.00=\$5,737.50

RCH-Ronald C. Hunt
 RLH- Raymond L. Hamlin
 TR- Terry Ridley
 KS-Kenyatta Stewart
 MM-Musa Malik
 KW-Kyana Woolridge
 NG-Navarro Gray

Additional Expenses:

Rosenberg Transcript Re: Ruffin v. Pleasantville BOE \$904.39

Grand Total: \$6,641.89

6/14/2011

PLEASANTVILLE PUBLIC SCHOOL DISTRICT
Business Office
FACSIMILE

TO: Linda Gregier, USAC, Schools and Libraries Division

FAX#: 973-599-6552

PHONE: 973-581-5292

FROM: Elisha Thompkins, Comptroller (EXT. 2551)

FAX#: 609-677-8118

PHONE#: 609-383-6800 EXT. 2526 (Gloradine Gause)

DATE: October 8, 2010

RE: USAC Request from Pleasantville School District

NUMBER OF PAGES (including cover sheet) 6

MESSAGE:

Good morning,

Please see the following fax that was also emailed.

Thank you,
Gloradine Gause

Thompkins, Elisha

To: Richard Senturia
Subject: RE: USAC Request: Pleasantville School District - No Response Elisha; I haven't seen any response yet. TOMORROW is the deadline! Richard

*Elisha Thompkins, Jr.
Comptroller/Asst. Board Secretary
Pleasantville Public Schools
900 West Leeds Avenue
P.O. Box 960
Pleasantville, New Jersey 08232
(609) 383-6800 ext. 2551*

From: Richard Senturia [mailto:rsenturia@erateprogram.com]
Sent: Wednesday, October 06, 2010 7:42 PM
To: Thompkins, Elisha
Cc: White, Dailey; Steve Glickman; Dick Porzel
Subject: FW: USAC Request: Pleasantville School District - No Response Elisha; I haven't seen any response yet. TOMORROW is the deadline! Richard
Importance: High

Elisha & Dailey;

DEADLINE ALERT!

I'll be on the road tomorrow, at a meeting in South East MO. Will be back about 4 pm, my time.

However, I want to make sure you answer as many of her questions as thoroughly as possible, and that you get her "SOME answers" tomorrow, for sure.

Call my cell phone 314-397-5230 until 9:45 your time, between 12 and 1 your time, or after 3 your time, and we'll make sure you send her SOMETHING!

Richard
314-397-5230

From: Richard Senturia
Sent: Wednesday, September 22, 2010 3:35 PM
To: Thompkins, Elisha

Subject: FW: USAC Request: Pleasantville School District - No Response
Importance: High

From: Gregier, Linda [mailto:LGREGIE@sl.universalservice.org]

Sent: Wednesday, September 22, 2010 3:31 PM

To: grantham.gloria@pps-nj.us

Cc: Richard Senturia; Richard Senturia@1-314-854-1329

Subject: USAC Request: Pleasantville School District - No Response

Importance: High

Date: September 22, 2010

Dr. Gloria Grantham
Richard Senturia
Pleasantville School District
Phone: (609) 383-6800
Fax: (314) 854-1329
grantham.gloria@pps-nj.us

Response Due Date: OCTOBER 7, 2010

You were recently sent a written request for additional information needed to review your Funding Year(s) 2004-2010 Form 471 applications to ensure that they are in compliance with the rules of the Universal Service program. This is a reminder that the response due date is approaching. To date, none of the requested information has been received. The information needed to complete the review is listed below.

In an effort to understand the relationship, both past and present, between Martin Friedman, of Alemar Consulting, and the school districts and individual schools where Mr. Friedman has been contracted, we are requesting that you answer the following questions:

1. Did Martin Friedman of Alemar Consulting provide E-Rate consulting services to you or is Martin Friedman currently providing E-rate consulting services to you? If Martin Friedman has never provided E-rate consulting services to you, please let USAC know as soon as possible so as not to disrupt the processing or distribution of your E-Rate applications and funding. If yes, please answer the following questions.

Reply: He was to provide services as an e-rate consultant for the 2005, 2006, 2007 and 2008 school year

2. For what specific dates and E-Rate program funding year(s) has Martin Friedman provided the services?

Reply: 2005 through 2008 funding year

3. Provide copies of any and all written consulting agreements with Martin Friedman.

Reply: Due to pending litigation with Alamar, all contracts and documentation will be forwarded from and by the Pleasantville Board of Education Solicitor

4. If Martin Friedman provided additional services related to the E-Rate program that are not described in the written agreement,

Reply: This matter is currently in litigation. The Pleasantville Board of Education will forward the necessary documentation via our attorneys. provide a full and complete description of those services.

- A) This matter is currently pending litigation

5. If you do not have a written consulting agreement with Martin Friedman, but Martin Friedman provided services to you related to the E-Rate program, please provide a full and complete description of the services Martin Friedman provided.

Martin Friedman was not authorized to provide any services other than e-rate consultation

6. Are you currently receiving services from a consultant other than Martin Friedman? If so, please indicate the name of the consultant and provide a full and complete description of the services you are receiving from this consultant including copies of any written consulting agreements with your current E-Rate consultant.

Reply: Yes, E-Rate Program and E-Rate 360

7. Please provide copies of all communications between any member of your staff and Martin Friedman related to Funding Years 2004 to date. This request specifically includes, but is not limited to, any and all communications regarding your anticipated E-Rate program services prior to the posting of any FCC Form 470 or finalization of any Request for Proposal (RFP) or similar document. To the extent you do not have responsive information, specify that in your response.

Reply: All documentation are held by the Pleasantville Board of Education's attorney and will be forwarded to the SLD to the extent that some documentation may not exist. We are conducting our own internal investigation to discover those documents.

8. Did Martin Friedman provide any input with regard to the goods/services you described in your FCC Forms 470/in any RFP for Funding Years 2004 to 2010? If so, describe in full.

Reply: This matter is currently in litigation and involves the 2005 through the 2008 funding year and only pertains to priority 2 services

9. Did Martin Friedman introduce you to any service providers or in any way try to influence your decision regarding vendor selection? If yes, describe in full.

Reply: This matter is currently in litigation and involves the 2005 through the 2008 funding year and only pertains to priority 2 services

10. Did Martin Friedman play a role with regard to your selection of your service providers for Funding Years 2004 to 2010? If so, describe in full.

Reply: This matter is currently in litigation and involves the 2005 through the 2008 funding year and only pertains to priority 2 services

11. Describe the circumstances of your initial contact with Martin Friedman. Were you referred to Alamar Consulting and/or Martin Friedman's consulting services by an individual/company? If yes, please state who provided you the referral and when this referral was provided to you.

Reply: Our Technology Coordinator, Robert Bloom requested a consultant to handle the e-rate information

12. Lastly, please complete, sign, and date the attached certification and return with your response.

It is important that we receive all of the information requested so that we can complete the review. Please fax or email the requested information to my attention. If you have any questions, do not understand what we are requesting, or feel that you have already responded, please feel free to contact me.

If we do not receive the requested information by OCTOBER 7, 2010, your application(s) will be reviewed using the information currently on file. Failure to respond may result in a reduction, denial, or rescinding of funding.

Should you wish to cancel your Form 471 application, or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s), along with the Form 471 application number(s) and/or funding request number(s), and the complete name, title and signature of the authorized individual.

Thank you for your cooperation and continued support of the Universal Service Program.

Linda Gregier
USAC, Schools and Libraries Division
Phone: 973-581-5292
Fax: 973-599-6552
E-mail: lgregie@sl.universal-service.org

201

I certify that I am authorized to make the representations set forth in the responses to the inquiry on behalf of Pleasantville School District the entity represented on and responding to the inquiry, and am the most knowledgeable person with regard to the information set forth therein. I certify that the responses and supporting documentation to the inquiry are true and correct to the best of my knowledge, information and belief. I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I acknowledge that false statements can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001 and civil violations of the False Claims Act.

I declare under penalty of perjury that the foregoing is true and correct. Executed on 7th day of October, 2010 at Pleasantville [city], New Jersey [state].

Signature: <u>[Signature]</u>		Date: <u>10/7/10</u>
Print Name: <u>Elisha Thorpe</u>		Title: <u>Comptroller/Asst. Bd. Sec.</u>
Employer: <u>Pleasantville Public Schools</u>		
Telephone Number: <u>609-383-6800 x2526</u>	Fax Number: <u>609-677-8118</u>	
Email Address: <u>Thorpe.Elisha@PPS-NJ.US</u>		
Address: <u>801 W. 11th Road</u> <u>Pleasantville NJ 08232</u>		

On Nov 19, 2010, at 10:38 AM, Gregier, Linda wrote:

Mr. Friedman,

Your first requested extension has been granted and your new response due date is **December 10, 2010**.

Please let me know if you have any additional questions or concerns. Have a great holiday!

Regards,

Linda Gregier
USAC, Schools and Libraries Division
Phone: 973-581-5292
Fax: 973-599-6552
E-mail: lgriegie@sl.universalservice.org

From: Martin Friedman [<mailto:friedman@alemarconsulting.com>]
Sent: Thursday, November 18, 2010 6:31 PM
To: Gregier, Linda
Subject: Re: USAC Request: 15 Day Letter to Martin Friedman due 11/26/2010

Ms. Gregier,

I am preparing a response for you but must pass it through my attorney before I can submit. Due to the holiday and his schedule in court, I'd like to request an extension to submit on 12/10/2010.

I would greatly appreciate your serious consideration toward granting this extension.

Regards.

Martin Friedman

On Nov 11, 2010, at 12:20 PM, Gregier, Linda wrote:

Date: November 11, 2010

Martin Friedman
Aleamar Consulting
610-999-9935
610-353-1005
friedman@alemarconsulting.com

Response Due Date: NOVEMBER 26, 2010

The Special Compliance Review (SCR) team is in the process of reviewing all Form 471 applications for schools and libraries to ensure that they are in compliance with the rules of the Universal Service

program. To complete my review I need some additional information. The information needed to complete the review is listed below.

We are currently reviewing applications where you, Martin Friedman, are listed as the contact person and Combweb Technology Group, SNIP Link LLC, ComTec Systems, Inc., Complete Convergence Inc. dba Micro Technology Group Inc., Geoffrey P. Deans, Final Mile Technologies, and/or Webgatherings LLC appear as service providers.

USAC records show that during Funding Years 2004 through 2009 you have been associated with many different entities. You were contracted with these schools through Alemar Consulting to provide services including filing forms and managing response questions both from service providers/vendors and from the School and Libraries Program.

Your contract indicates that Alemar offers to receive all bid documents if your client so chooses, however, it does not clearly indicate which clients accepted this service and which chose to receive their own bid documents directly.

Therefore, please respond to the following USAC requests:

- 1) How do you solicit bids for your clients?
 - a. Is there a list of potential bidders whom you notify when your client's Forms 470 are posted?
 - b. Is there a distribution list of vendors who receive updates from you during the Form 470 filing process to determine which schools you have filed for?
 - c. How do vendors become part of your distribution list for submitted FCC Form 470s and RFPs?
 - d. Are you compensated in any way (monetarily, gifts, meals, etc.) by the vendors that become part of your distribution list?

It has come to USAC's attention that service providers are providing you with referrals to schools. USAC is in possession of an email from Qasim Rashad, the CEO of Final Mile Technologies, which mentions that Mr. Rashad has provided your consultancy name as a referral to the Kephera Charter School for E-Rate consulting services in late 2005. The Kephera Charter School listed you as their E-Rate consultant in 2006 and awarded multiple funding requests to Final Mile Technologies that same funding year. This is indicative of a potential conflict of interest. We were also provided documentation during your Selective Review response for a different school showing that another service provider offered similar information through his current account at that school in 2006.

Given these circumstances, please respond to the following questions:

- 2) How often do service providers provide you with leads for your consulting business?
 - a. How often are these service providers then awarded contracts by the schools they referred you to?
 - b. How do you mitigate this potential conflict of interest in order to ensure that all program competitive bidding rules are being properly followed?
- 3) Do you offer gifts and/or gratuities in any form to service providers that provide you with leads for your consulting business?
 - a. If yes, please provide a list of all service providers you've compensated in the past. Additionally please explain the circumstances.

It has come to USAC's attention that you are also employed as the IT Director and Special Projects Manager at Imhotep Charter Schools. This is indicated both on the school's web site as well as in the emails from you to a service provider contact in 2006.

Additionally, the Imhotep Charter Schools web site listed Irene Glickman as an 8th grade teacher. Irene Glickman is also the president and primary contact for WebGatherings, LLC. She is also the signatory for WebGatherings on each of the web hosting contracts awarded to her company. One of the schools where WebGatherings is contracted is Imhotep, where she was listed as a teacher. This is indicative of a potential conflict of interest that could have compromised the competitive bidding process. Since you are also listed as a staff member at Imhotep Charter Schools, a relationship exists between yourself and Irene Glickman that also constitutes a potential conflict of interest; you are acting as the applicant as an employee of the school and Irene Glickman is the president of a bidding vendor, WebGatherings, LLC.

Given these circumstances, USAC is obligated to ask the following question:

- 4) How was the potential conflict of interest mitigated with the Imhotep Charter Schools competitive bidding process?
 - a. How was the potential conflict of interest mitigated at all other schools where Webgatherings has been awarded contracts for E-Rate eligible services and you have been listed as the FCC Form 470/471 contact?

Regarding Comweb Technology, SPIN 143005079; SNIP Link LLC, SPIN 143006994; ComTec Systems Inc, SPIN 143008185; Complete Convergence Inc. dba Micro Technology Groupe, Inc, SPIN 143008940; Geoffrey P. Deans, SPIN 143020516; Final Mile Technologies, SPIN 143020661; and WebGatherings LLC, SPIN 143026864, a significant proportion of their customer base are schools or school districts you provide consulting services for. Please answer the following questions for each of the service providers listed above.

- 5) Please provide an explanation for the correlation between Form 471 applications where the providers listed above were awarded contracts and where you are contracted as a consultant and listed as a contact.
- 6) Please provide a detailed description of your relationship(s) with the following service providers; how you first came in contact with each of the 7 service providers listed below, a description of each service provider's involvement in the bidding process with the schools you consult for, and the extent of your relationship with each of these vendors:
 - a. ComTec Systems Inc. SPIN 143008185
 - b. SNIP Link LLC, SPIN 143006994
 - c. Comweb Technology, SPIN 143005079
 - d. Complete Convergence Inc. dba Micro Technology Groupe, SPIN 1431008940
 - e. Geoffrey P. Deans, SPIN 143020516
 - f. Final Mile Technologies, SPIN 143020661
 - g. WebGatherings LLC, SPIN 143026864
- 7) If a conflict of interest between yourself and these service providers was in place, please provide documentation showing how that conflict was mitigated in relation to the selection of the service providers listed above.
- 8) Were/Are you compensated (monetarily, gifts, meals, leads for your business, etc.) in any way by the service providers listed above?
 - a. If yes, please explain how you are compensated.
- 9) Please provide a detailed description of your involvement in the competitive bidding process for the schools that you consult for.
 - a. Are you involved in the selection of service providers in any way for the schools that you consult for?

Lastly, please complete, sign, and date the attached certification and return with your response.

Please fax or email the requested information to my attention. If you have any questions or if you require a further explanation of this request, please feel free to contact me.

It is important that we receive all of the information requested **within 15 calendar days** so we can complete our review. **Failure to respond may result in a reduction, denial, or rescinding of funding. If you need additional time to prepare your response, please let me know as soon as possible.**

Should you wish to cancel your Form 471 application(s), or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s). Include in any cancellation request the Form 471 application number(s) and/or funding request number(s), and the complete name, title and signature of the authorized individual.

Thank you for your cooperation and continued support of the Universal Service Program.

Linda Gregier
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Re: Response to November 11, 2010 request for information from Special Compliance Review team due December 10, 2010

On November 11, 2010 I received a communication from the Special Compliance Review (SCR) team requesting information to enable the team to complete its review of Form 471 applications for schools and libraries to ensure that they are in compliance with the rules of the Universal Service program. The answers to the questions posed are set forth below.

The SCR team stated that it was reviewing applications where I, Martin Friedman, am listed as the contact person for schools and Combweb Technology Group, SNIP Link LLC, ComTec Systems, Inc., Complete Convergence Inc. dba Micro Technology Group Inc., Geoffrey P. Deans, Final Mile Technologies, and/or Webgatherings LLC appear as service providers. The SCR letter cited to USAC records that show that during Funding Years 2004 through 2009 I and ALEMAR Consulting have been associated with many different entities. The letter was correct in stating that ALEMAR Consulting was retained by several schools to provide services including filing forms and managing response questions both from service providers/vendors and from reviewers of the School and Libraries Program.

The letter correctly stated that ALEMAR Consulting offers its clients the option of receiving all bid documents. Some accept that service. Others do not—choosing instead to have the bid documents sent directly to them.

Question 1: How do you solicit bids for your clients?

Answer: We do not directly solicit bids for our clients. When a client asks us to prepare an RFP we do so and then use it as the basis for the Form 470. When it is uploaded to the USAC website we generally include a link to the RFP within the body of Form 470. Hence, vendors generally access the accompanying RFPs put out by my clients through a website. On very few occasions, prior to the completion of the RFP and Form 470, a school has asked a vendor to call us. In such instances, we put the vendor's name in the school's file and, once Form 470 is submitted on the USAC website, e-mail that vendor to inform it that the process has begun. Any vendor who responds to the Form 470, or any local advertisement, who has not acquired the RFP through the Form 470 link to the RFP is provided the RFP on request.

Question 1(a): Is there a list of potential bidders whom you notify when your client's Forms 470 are posted?

Answer: No.

Question 1(b): Is there a distribution list of vendors who receive updates from you during the Form 470 filing process to determine which schools you have filed for?

Answer: No.

Question 1(c): How do vendors become part of your distribution list for submitted FCC Form 470s and RFPs?

Answer: We do not maintain a distribution list.

Question 1(d): Are you compensated in any way (monetarily, gifts, meals, etc.) by the vendors that become part of your distribution list?

Answer: We have no distribution list. Neither I nor ALEMAR Consulting has received any compensation in any way from vendors who have responded to my client's RFPs or who have been awarded a contract by any of my clients.

In its letter, the SCR team stated that *"it has come to USAC's attention that service providers are providing you with referrals to schools. USAC is in possession of an email from Qasim Rashad, the CEO of Final Mile Technologies, which mentions that Mr. Rashad has provided your consultancy name as a referral to the Kephra Charter School for E-Rate consulting services in late 2005. The Kephra Charter School listed you as their E-Rate consultant in 2006 and awarded multiple funding requests to Final Mile Technologies that same funding year. This is indicative of a potential a conflict of interest. We were also provided documentation during your Selective Review response for a different school showing that another service provider offered similar information through his current account at that school in 2006."* USAC asked a series of questions based on these statements.

Before responding to those questions it should be noted that I have recovered the e-mail I think the letter refers to and note that, in his e-mail, Mr. Rashad's email states that he provided "a couple of e-rate consultants" to the principal. Having not been part of the conversation I know nothing more than what I read in Mr. Rashad's e-mail. I surmise, however, that the fact that the principal was "very interested" in ALEMAR may be due to the reputation we have established working with other charter schools. More specifically, I understand that Khepera has an informal relationship with other Afro-centric charter schools such as Imhotep, Harambee and Imani and so may have known of our work before receiving the e-mail from Mr. Rashad.

I do not know to what the SCR is referring to when it states that it has information "for a different school showing that another service provider offered similar information through his current account at that school in 2006."

Question 2: How often do service providers provide you with leads for your consulting business?

Answer: We rarely get direct referrals from service providers. If we do, it is highly unusual for us to follow up on them directly. In our business model, clients usually initiate the call and contract with us, or not, based on that conversation, and/or an interview. In the case of Khepera Charter School, above, since the principal was expecting us to call, we did.

Question 2(a): How often are these service providers then awarded contracts by the schools they referred you to?

Answer: Based on my comments above, I have no way of knowing this. My clients determine which vendors to hire. It is my experience that vendors are awarded a contract when they meet the criteria and offer the best price. In some instances, only one vendor will bid on a contract. If that vendor meets the RFP criteria and has a reasonable price it has been hired. For example, Final Mile received three contracts from Khepera in 2006. In each instance, they were the sole bid.

Question 2(b): How do you mitigate this potential conflict of interest in order to ensure that all program competitive bidding rules are being properly followed?

Answer: Given the answer above I do not believe there is a conflict or potential conflict of interest. In any event, in all cases, representatives of the school entity open the sealed bids, evaluate them, and then decide which projects/contracts to move forward. I am not involved in the decision as to which provider is selected to provide the service required by my client.

Question 3: Do you offer gifts and/or gratuities in any form to service providers that provide you with leads for your consulting business?

Answer: As stated above, service providers do not generally provide me with leads for my consulting business and I do not offer gifts and/or gratuities in any form to service providers.

Question 3(a): If yes, please provide a list of all service providers you've compensated in the past. Additionally please explain the circumstances:

Not applicable given previous answers.

In its letter, SCR stated that it is aware that I am "*employed as the IT Director and Projects Manager at Imhotep Charter School. This is indicated both on the school's web site as well as in the emails from me to a service provider contact in 2006.*" The statement is only partially correct. I worked as the IT Director and Special Projects Manager at Imhotep Charter Schools from 2004 but resigned from that position in November 2009.

USAC also stated in its letter that, *"Imhotep Charter School's web site listed Irene Glickman as an 8th grade teacher. Irene Glickman is also the president and primary contact for WebGatherings, LLC. She is also the signatory for WebGatherings on each of the web hosting contracts awarded to her company. One of the schools where WebGatherings is contracted is Imhotep, where she was listed as a teacher. This is indicative of a potential conflict of interest that could have compromised the competitive bidding process. Since you are also listed as a staff member at Imhotep Charter Schools, a relationship exists between yourself and Irene Glickman that also constitutes a potential conflict of interest; you are acting as the applicant as an employee of the school and Irene Glickman is the president of a bidding vendor, WebGatherings, LLC."*

As a preliminary matter it is important to note that the information set forth in SCR's letter is not entirely accurate. SCR indicates that Ms. Glickman was an 8th grade teacher. Please note that she could not have been because Imhotep Institute Charter School is a high school spanning grades 9-12. It has no 8th grade. Quite apart from that, I do not believe that Imhotep ever employed Ms. Glickman in any capacity. Regardless, I have no personal relationship with Irene Glickman and WebGatherings. To the extent that I have any relationship with her it is a professional relationship formed after she received a contract from one of my clients. Any contract awards that WebGatherings received were solely at the discretion of the school entity.

Question 4: How was the potential conflict of interest mitigated with the Imhotep Charter Schools competitive bidding process?

Answer: There was no conflict of interest or potential conflict of interest because I had no relationship with Ms. Glickman apart from brief professional communications with her after posting the Form 470, as required by my clients. I first came in contact with WebGatherings in 2003 at the Charter School Conference

Question 4(a): How was the potential conflict of interest mitigated at all other schools where Webgatherings has been awarded contracts for E-Rate eligible services and you have been listed as the FCC Form 470/471 contact?

Answer: See answer to Question 4.

In the letter the SCR team stated that Comweb Technology, SPIN 143005079; SNIP Link LLC, SPIN 143006994; ComTec Systems Inc, SPIN 143008185; Complete Convergence Inc. dba Micro Technology Groupe, Inc, SPIN 143008940; Geoffrey P. Deans, SPIN 143020516; Final Mile Technologies, SPIN 143020661; and WebGatherings LLC, SPIN 143026864, form a significant proportion of the customer base of my clients. As a preliminary matter please note that this is not surprising given ALEMAR Consulting's client base. We do not represent large educational organizations. In fact, the vast majority of our clients are small charter schools, which to the extent they are seeking technology upgrades are not in a position to award large contracts. As I understand it there are not many vendors who are willing to bid on such small contracts. Given that there are few vendors who bid on these types of contracts it follows that

there is also only a small group of vendors who are awarded these types of contracts.

Question 5): Please provide an explanation for the correlation between Form 471 applications where the providers listed above were awarded contracts and where you are contracted as a consultant and listed as a contact.

Answer: If there is a correlation such correlation is due the factors set forth above. Furthermore, some of the repeat vendors are those on multi-year contracts. Whenever a potential bidder contacts me about a posted Form 470, I provide them a copy of the RFP. The records show that we send out many more RFPs than bids received for any entity. We have no control if a potential bidder chooses not to submit a bid. All bids received are considered in the review process. Many of my small school entities do not receive bids for all of the listed projects nor, in many instances, do they receive multiple bids for a single project. It may be that some potential bidders do not see small schools as worth the effort, although there is no way to confirm this. In short, there is a small cadre of vendors who do respond to the Form 470 for these schools and therefore win the contracts. They do not win all of their bids but they do submit bids consistently through the years.

Question 6): Please provide a detailed description of your relationship(s) with the following service providers; how you first came in contact with each of the 7 service providers listed below, a description of each service provider's involvement in the bidding process with the schools you consult for, and the extent of your relationship with each of these vendors:

1. Complete Convergence Inc. dba Micro Technology Groupe, SPIN 1431008940: I first came in contact with Complete Convergence (MTG) around 1996 when I was employed by the West Chester Area School District. As with other vendors, the service provider's involvement in the bidding process for contracts with any of my clients would have been limited to submitting a bid to the school. The extent of my relationship with this vendor is strictly professional.
2. ComTec Systems Inc. SPIN 143008185: I first became aware of ComTec Systems in 2002 and came in contact with the company after it was awarded a contract by two of my clients. (Harambee and Germantown Settlement). As with other vendors, the service provider's involvement in the bidding process for contracts with any of my clients would have been limited to submitting a bid to the school. The extent of my relationship with this vendor is strictly professional.
3. Comweb Technology, SPIN 143005079: I first became aware of Comweb Technology in 2002 and when it responded to the posting of the Form 470 for several of my clients. The company asked for information about any additional schools that may be looking for their product. It did not win any contracts that year and only one contract the following year, at the World Communications Charter School. As with other vendors, the service provider's involvement in the bidding process for contracts with any of my clients would have been limited to submitting a bid to the school. The extent of my relationship with this vendor is

strictly professional.

4. Final Mile Technologies, SPIN 143020661: I first came in contact with Final Mile Technologies in December of 2000 when they requested the 470 numbers for 5 of my clients. (Germantown Settlement, Imani, Imhotep, Raising Horizons Quest, and the World Communications Charter Schools.) As with other vendors, the service provider's involvement in the bidding process for contracts with any of my clients would have been limited to submitting a bid to the school. The extent of my relationship with this vendor is strictly professional.
5. Geoffrey P. Deans, SPIN 143020516: I first became aware of Geoffrey P. Deans in 2000 and came in contact with him after he was awarded a contract with one of my clients (Imhotep). As with other vendors, the service provider's involvement in the bidding process for contracts with any of my clients would have been limited to submitting a bid to the school. The extent of my relationship with this vendor is strictly professional.
6. SNIP Link LLC, SPIN 143006994: I first became aware of SNIP Link LLC in 2002 and came in contact with the company after it was awarded a contract by two of my clients. (Harambee and Germantown Settlement).). As with other vendors, the service provider's involvement in the bidding process for contracts with any of my clients would have been limited to submitting a bid to the school. The extent of my relationship with this vendor is strictly professional.
7. WebGatherings LLC, SPIN 143026864: I first came in contact with WebGatherings in 2003 at the Charter School Conference. They already were providing services to one of my clients. (Imhotep) As with other vendors, the service provider's involvement in the bidding process for contracts with any of my clients would have been limited to submitting a bid to the school. The extent of my relationship with this vendor is strictly professional.

Question 7: If a conflict of interest between yourself and these service providers was in place, please provide documentation showing how that conflict was mitigated in relation to the selection of the service providers listed above.

Answer: There was no conflict of interest between my self or ALEMAR Consulting and the service providers noted above.

Question 8: Were/Are you compensated (monetarily, gifts, meals, leads for your business, etc.) in any way by the service providers listed above?

Answer: No.

Question 8(a) If yes, please explain how you are compensated.

Answer: Not applicable given answer to Question 8.

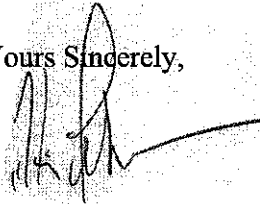
Question 9: Please provide a detailed description of your involvement in the competitive bidding process for the schools that you consult for.

Answer: Once the school has retained the services of ALEMAR Consulting, I work with the school to identify and define the projects they wish to bid. I then prepare a document that, once approved, becomes the RFP and is the basis for completing the Form 470. I then act as the school's agent to distribute the RFP in the manner described above in response to Question 1 as requested, and field any questions and/or concerns from potential bidders.

Are you involved in the selection of service providers in any way for the schools that you consult for?

Answer: I may or may not sit with the school during the bid opening and evaluation process depending on the school's wishes. If I do, I will answer any technical and/or procedural questions posed to me. I do not indicate, in any way, which vendors with whom to contract. If requested, I may record the evaluation sheet scores.

Yours Sincerely,

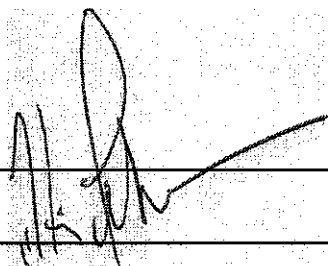
A handwritten signature in black ink, appearing to read 'Martin Friedman', with a long horizontal flourish extending to the right.

Martin Friedman
Aleamar Consulting

CERTIFICATION

I certify that I am authorized to make the representations set forth in the responses to the inquiry on behalf of myself, Martin Friedman, and Alemar Consulting represented on and responding to the inquiry, and am the most knowledgeable person with regard to the information set forth therein. I certify that the responses and supporting documentation to the inquiry are true and correct to the best of my knowledge, information and belief. I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I acknowledge that false statements can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001 and civil violations of the False Claims Act.

I declare under penalty of perjury that the foregoing is true and correct. Executed on 9th day of December 2010 at Broomall [city], PA [state].

	
Signature	Date 12/09/2010
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